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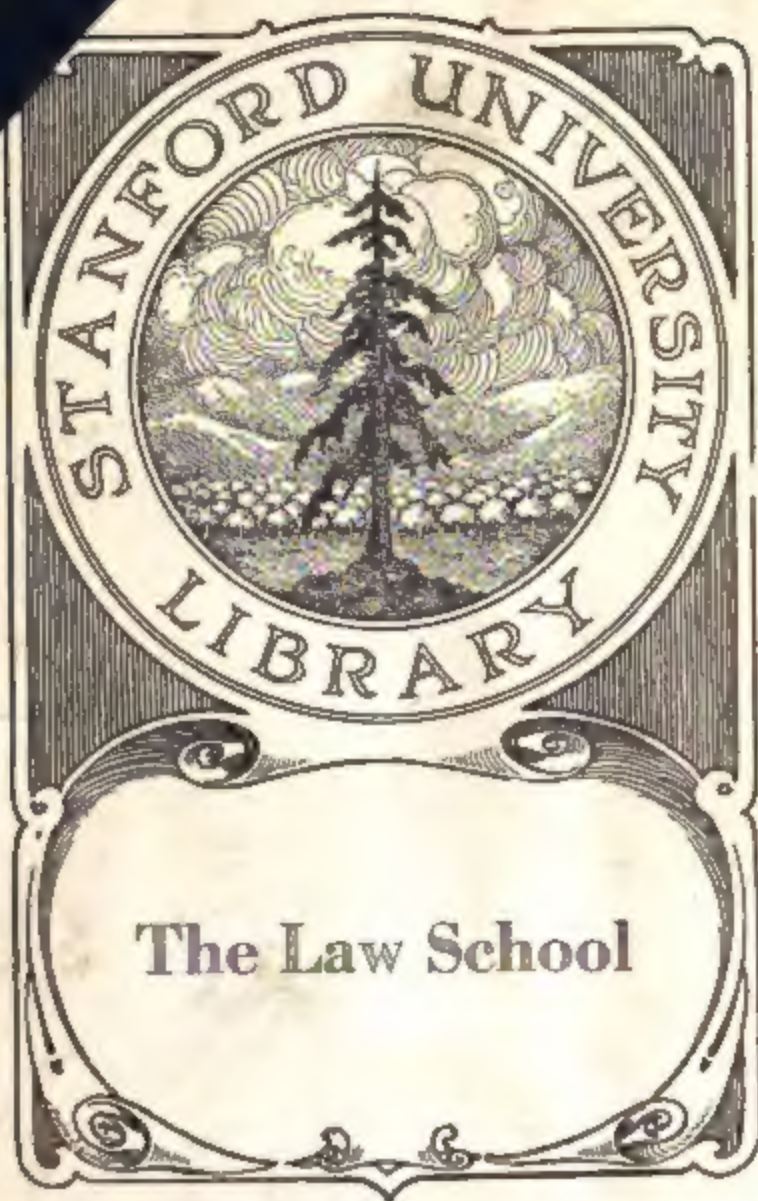
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History of the State of New York

Vol. 2, at New York, 1865

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OF THE

GENERAL ASSEMBLY

OF THE

COMMONWEALTH OF KENTUCKY,

PASSED AT THE

**ADJOURNED SESSION (JANUARY, 1865) WHICH WAS BEGUN AND HELD
IN THE CITY OF FRANKFORT, ON MONDAY, THE
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LOCAL AND PRIVATE ACTS

OF

THE STATE OF KENTUCKY,

PASSED AT THE ADJOURNED SESSION OF THE GENERAL ASSEMBLY (JANUARY, 1855) WHICH WAS BEGUN AND HELD IN THE CITY OF FRANKFORT, ON MONDAY, THE SEVENTH DAY OF DECEMBER, 1863.

THOS. E. BRAMLETTE, *Governor.*

R. T. JACOB, *Lieut. Governor and Speaker of the Senate.*

HARRISON TAYLOR, *Speaker of the House of Reps.*

E. L. VANWINKLE, *Secretary of State.*

CHAPTER 1103.

AN ACT to incorporate the Kinniconick Central Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That James D. Smith, William Overend, Samuel Bate, and Henry J. Smith, or such of them as shall act herein, their associates, successors, and assigns, be, and are hereby, created a body corporate and politic, by the name of "Kinniconick Central Oil and Mining Company," with perpetual succession, and full power to contract and be contracted with, sue and be sued, and to acquire, by purchase, conveyance, or other lawful mode, which a natural person may, and to hold, use, occupy, and enjoy any real or personal property, or interest therein, which the corporation, by its board of directors, may deem advisable; with full power to sell, convey, lease, assign, transfer, or otherwise dispose of any part thereof, or all; and with like pow-

Corporators' names, and corporate powers.

1865.

er of exploring for minerals and making surveys, charts, and maps of lands; and of boring, digging, or mining for coal, petroleum, salt, or other minerals, and of manufacturing, refining, or analyzing any minerals, and of marketing, selling, trading in, and disposing of the same, with all incidental powers pertaining to said business; to make roads, and erect machinery, buildings, &c., for carrying on the business of the company, and generally to do and perform whatsoever shall lawfully pertain to such corporate bodies; and may have and use a corporate seal.

First board of
directors.

Capital stock.

§ 2. The said corporators are hereby vested with full power to organize said company under this act, and shall constitute the first board of directors, a majority of whom shall constitute a quorum to do business, with full power to dispose of, appropriate, sell, assign, and transfer the shares of the capital stock of the company, in such manner and proportion, and on such terms and conditions, as they may deem most advisable; and with like power to manage and conduct the business of the corporation until their successors shall be duly elected and qualified. The capital stock of the company shall not exceed at the time of its organization the sum of one hundred thousand dollars, but may thereafter, as the company may deem necessary, be increased so as not to exceed five hundred thousand dollars; the shares of stock shall be twenty dollars each, par value, and shall be assignable and transferable under the rules and regulations that may be adopted by the company.

First board of
directors.

Officers to be
appointed.

§ 3. After the said first board of directors the business of the company shall be managed and conducted by a board of four directors, one of whom shall, by the votes of the others, be elected president; the first and all subsequent boards of directors shall have power, from time to time, to appoint a secretary, treasurer, and other officers, and to employ all such agents, mechanics, and laborers as in the opinion of the board the business of the company may require, and to remove or discharge them at pleasure; and may fix and agree upon the compensation of the officers and employes of the company, and may require of the secretary and of the treasurer, and of any employe of the company, bond and security for the faithful performance of their respective duties; and may make all such rules and by-laws for the government of the company, its officers, agents, and affairs, as the board shall deem necessary.

May make by-
laws.

Elections—
how stock vot-
ed, &c.

Term of office.

§ 4. Elections shall be held for directors at such times and places, and under such regulations and by-laws, as the board shall establish; each stockholder shall be entitled to one vote for each share of stock held by him, and may vote by proxy, duly authorized in writing. The board of directors so elected shall hold their office for one year, and until their successors are duly elected and qualified. Any

LAWS OF KENTUCKY.

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vacancy occurring in the board may be filled by a vote of the remaining members; and in case of absence of the president, the board may appoint one of their number president *pro tem.*; none but stockholders shall be members of the board, nor shall the company, in any manner, engage in banking.

1865.
Vacancies.

§ 5. This act shall be in force from and after its passage.

H. TAYLOR,
Speaker of the House of Representatives.
RICHARD T. JACOB,
Speaker of the Senate.

Approved February 27, 1865.

THOS. E. BRAMLETTE.

By the Governor:
E. L. VANWINKLE, *Secretary of State.*

CHAPTER 1104.

AN ACT to incorporate the Kentucky Telegraph Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Robert W. Bush, Richard J. Menefee, Abraham G. Munn, Thomas P. Hughes, Chas. N. Warren, John G. Barrett, and their associates, are hereby created a body-corporate, with succession, with power to sue and be sued, plead and be impleaded, defend and be defended, contract and be contracted with, acquire and convey, at pleasure, all such real and personal property as may be necessary and convenient to carry into effect the objects of this law; to make and use a common seal, and the same to alter at pleasure; and do all needful acts to carry into effect the objects of this law; and they and their associates, being so incorporated, shall be known by the name and style of the "Kentucky Telegraph Company."

Corporators' names, and corporate powers.

§ 2. The said corporation are authorized to construct lines of magnetic telegraph, and for that purpose to set up their poles, piers, abutments, wires, and other fixtures along, upon, and across any of the roads, streets, and waters of this Commonwealth, in such manner as not to incommode the public in the use of such roads, streets, or waters.

May erect lines of telegraph.

§ 3. The said corporation are also authorized to enter upon any land, whether owned by private persons in fee or in any less estate, or by any corporation, whether acquired by purchase or in virtue of any provision in the charter of such corporation, for the purpose of making preliminary surveys and examinations, with a view to the erection of any line authorized to be erected by this act; and to ap-

May enter upon lands.

1865.

appropriate so much of said lands as may be necessary to erect such poles, piers, abutments, wires, and other necessary fixtures for a magnetic telegraph, and a right of access to said line when erected, from time to time, as may be required to repair the same, under the restrictions and limitations hereinafter provided.

Proceedings in
case corpora-
tion and own-
ers of land can-
not agree.

§ 4. In case the lands sought to be appropriated belong to private persons, and the corporation and the owners cannot agree upon proper compensation to be paid, or the owners are unknown, or reside abroad, or are incompetent to contract, and have no guardian or other person authorized by law to contract on their behalf in the county, such corporation or owner may apply to the county court of the county wherein said land lies, by petition, setting forth the general direction in which they desire to construct said magnetic telegraph over such lands, the number of posts and piers to be erected, and the general average height of the wires from the surface of the earth, and praying the appointment of three commissioners to assess the damages which such owner may sustain in consequence of the erection of such telegraph line, and of the right of access thereto thereafter, for the purpose of making necessary repairs; and thereupon, the county court shall direct notice to be given to the owner of such land, or to the corporation, as may be required, either by service of a writ, if the owner is within the reach of process, or by written notice sent to him by mail, or by an advertisement in any newspaper circulating in the county; and if said notice is to be given in any other manner than by the service of a writ, the court shall direct the manner and the length of time of the notice as to them shall seem most effectual to advise the owner of the pendency of the proceeding. The writ or notice shall name a day upon which the commissioners will be appointed, and as to all persons who may reside within the county, or if without the county, so near that notice can be served on them within four days after its date; the day to be named shall be within twelve days from the date of the writ or notice, unless the applicant shall desire a longer time to be named. Any number of owners may be joined in the same proceeding, and the damages shall be separately assessed upon the same view and by the same commissioners; and on the day named the court shall appoint three judicious, disinterested freeholders of the county to view the premises and assess the damages, who shall make their return under oath and in writing to the court, within the time required by the court; and upon the payment of the damages so assessed, an order shall be entered on the record of the court establishing the right of the corporation to erect and maintain the line of magnetic telegraph described in the petition, and the costs of the

1865.

proceeding shall be paid by the corporation, unless it appears to the court that before the petition was filed the corporation offered more compensation than the commissioners assessed, and the court should be of opinion that the refusal of the owner to accept it was plainly unreasonable, in which case the costs shall be paid by the owner. The commissioners, officers, and clerk shall have the same fees for services under this act as are by law allowed for similar services.

§ 5. The corporation shall not by virtue of this act be authorized to appropriate or enter any dwelling, barn, store, warehouse, or similar building erected for any agricultural, commercial, or manufacturing purpose, nor to erect poles so near thereto as to inconvenience the owner in their use or to occasion injury thereto in case the poles should be overthrown.

Not to enter dwellings, &c.

§ 6. In case the lands sought to be appropriated belong to any corporation, the right to appropriate the same by the Kentucky Telegraph Company shall be limited to such use as shall not materially interfere with the uses to which by law the corporation holding the same are authorized to put said lands; where no agreement can be amicably made between the parties, the mode of assessing the damages provided in section 4 shall be adopted; and if the lands to be appropriated lie in more than one county, an application may be made in any one county in which any of the lands lie, and the damages shall be assessed as to all the lands of the defendant corporation along the whole line in one proceeding.

Right to appropriate lands limited.

§ 7. In case the corporation hereby created desire to erect lines of magnetic telegraph through the streets of any incorporated town or city, it shall be done under such reasonable regulations as to the mode of erecting the poles and wires, so as not to incommode public travel, as the municipal authorities of such town or city may prescribe; but they shall not demand any compensation for such use beyond the amount necessary to put the street into its former state of repair; if the municipal authorities refuse or unreasonably delay to make such regulations on being applied to by the Kentucky Telegraph Company, the said company may apply to the county court of the proper county to prescribe such regulations, making the municipal authorities defendants to the petition.

How lines may be erected in towns & cities.

§ 8. For the purpose of making any agreement with the said corporation for the right to erect their lines of telegraph, and for the purpose of accepting service of notice, or receiving payment, husbands are hereby authorized to act for their wives, the father or widowed mother for his or her children, guardians of children, lunatics, and idiots, and other persons under disability, to contract for their

Who to act in services of notice, &c.

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No exclusive
privileges to be
granted.

respective wards, and resident agents employed to receive rents or manage lands for their non-resident employers; but it is hereby declared that this company shall have no power to contract with any owner of land for an exclusive right to erect or maintain a telegraph line over his lands to the exclusion of other lines that will not interfere mechanically with practical working of the lines hereby authorized to be erected; and that all such contracts, by whomsoever made, and with whomsoever made, which tend to create monopolies, whether made by this or any other company or persons, are contrary to public policy, and void.

Corporation
may own line,
or join with
other corpora-
tions.

§ 9. Such corporation may contract, own, use, and maintain, any line or lines of magnetic telegraph, whether wholly within or wholly or partly beyond the limits of this Commonwealth, or may join with any other corporation or association in constructing, leasing, owning, using, or maintaining such line or lines, and may own and hold any interest in such line or lines, or may become lessees thereof, on such terms as the respective corporations may agree.

Capital stock.

§ 10. The capital stock of this corporation shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each; and such capital may, from time to time, be increased or diminished by a vote of a majority of the stockholders at any lawful meeting.

Books to be
opened, & com-
pany organized

§ 11. The persons named in the first section, or a majority of them, may, at such time and place as they may agree, open books for subscription to the capital stock, and when ten per centum thereof shall have been subscribed, shall call a meeting of the stockholders, either by public notice published in some newspaper in the county where the books were opened, or by notice addressed to each stockholder by mail. Such meeting are hereby authorized to adopt such by-laws, and appoint such officers for the management of the affairs of such corporations, and make such other regulations, not inconsistent with the laws of the United States or of this Commonwealth, for the government of such corporation, as to them shall seem proper; and the same to alter, amend, or abolish, from time to time, as the exigencies of the corporation may require.

May make by-
laws.

Misdemeanor
to embezzle
funds.

§ 12. It shall be deemed a misdemeanor for any of the agents or employes of said corporation to embezzle any of its funds, or, having received any such funds, to default in their payment, and any such embezzlement or defalcation shall be punishable with a fine of not less than five hundred dollars nor more than a thousand dollars (to the use of the company), in the discretion of a jury, and imprisonment in the county jail until paid.

§ 13. *Be it further enacted*, That this act shall take effect and be in force from and after its passage.

1865.

Approved February 27, 1865.

CHAPTER 1105.

AN ACT to incorporate the Cooke, Cardwell & Company Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Wm. A Cooke, John W. Cardwell, Thomas J. Moore, Nat. Gaither, and George Kellar, and their associates, successors, and assigns, be, and they are hereby, created a body-politic and corporate, with perpetual succession, under the name and style of the "Cooke, Cardwell & Company Oil, Mining, and Manufacturing Company," and by that name may contract and be contracted with, sue and be sued, plead and be impleaded, in all the courts of this Commonwealth; may have and use a common seal, and alter and change the same at pleasure; may purchase and hold real estate, and may lease, sell, and transfer and assign the same to any person or persons whatever, or corporations, and may hold and transfer any personal property necessary for the transaction of business of said corporation; may make such rules and regulations and management of the business of said corporation, from time to time, as may be by them deemed right and proper.

Corporators' names, and corporate powers.

§ 2. The object of said company is to develop the petroleum, rock, and carbon oils, iron, coal, copper, and zinc, and other minerals, lumber, and vegetable resources in the State of Kentucky, and to manufacture, refine, and transport the same to market in crude or refined state; and to this end said company may open oil wells and mines for all manner of minerals; cut and transport to market lumber of all kinds; shall have power to erect all needful work-shops, mills, refineries, and furnaces, depots, and other buildings which may be deemed proper for the prosecution of their business; may purchase, construct, and own wharves and landings upon any streams in this Commonwealth, and may improve the navigation of the streams in this State by the erection of locks and dams, and the removal of all manner of obstructions therefrom, and when such improvements are made may charge such rates of toll as are charged on the Kentucky river for similar improvements; may construct boat-yards, build and own all kinds of boats; may construct turnpikes and railroads to and from any of the works and depots of said company and all points within the State where said company may wish to deliver their products in the raw or manufactured

Object of corporation.

1865.

state; and when said turnpikes and roads are completed, may charge the same rates of toll, per capita and per ton, as may be charged on the Danville and Hustonville turnpike, and upon the Louisville and Nashville railroad for similar and like purposes and improvements.

Capital stock.

§ 3. The capital stock of said company shall not exceed one million of dollars, and shall be divided into shares of not less than five dollars each; said stocks and shares to be subscribed and paid for, sold and transferred, in such manner as said company may determine by its by-laws and regulations adopted from time to time; the form of certificate and transfer to be fixed by the company, and may be entered on the books of the company, which books shall at all times be open to the inspection of shareholders; said stocks shall be held and deemed personal property.

President and other officers to be elected.

§ 4. Said company may, as soon after its organization as is deemed proper, have a meeting of the shareholders at Harrodsburg, Kentucky, for the purpose of electing a president and not less than three directors, a treasurer and secretary, and shall give twenty days' notice of the time at which said election shall be held by proper publication posted at three different court-houses of counties in which shareholders may reside; the officers thus elected shall hold their offices for one year from election, and until their successors are duly elected; the time of the annual elections to be determined by the by-laws or the president and directors, and be published as aforesaid; at all elections any stock or shareholder may vote by proxy; all money paid to said company shall be paid to the treasurer thereof, who shall execute bond with good security for the faithful discharge of his duties; and for any breach thereof he may be sued with his sureties by any person aggrieved.

Term of office.

How stock voted.
Money to be paid to treasurer, &c.

Where to keep offices.

Who to fix affairs of company, &c.

§ 5. The principal office of said company shall be kept at such place as the board of directors may fix, and branch offices may be fixed and located within or out of the State of Kentucky, at the discretion of said board; the affairs of said company shall be regulated by the president and directors, who shall have power to fix any and all necessary by-laws and regulations for the government thereof, not inconsistent with the constitution of the United States or of this State, or the laws thereof.

May deposit funds in bank.

§ 6. The treasurer of said company may, under the supervision of the board, deposit the funds of said company in such bank and places as may be deemed safe and secure, or may invest the same in real or personal property or securities; but not exercise any banking powers whatever.

Liability of stockholders.

§ 7. The liability of shareholders shall be to the extent of stock held by each, and each shall have as many votes

in all elections as he holds shares, which votes may be cast by proxy.

1865.

§ 8. The board of directors may, from time to time, declare dividends, and determine the manner of payment; and all dividends, except those arising from the sale of stocks herein authorized, shall be equally apportioned among the shareholders according to the number of shares of stock held by them.

May declare dividends.

§ 9. The said company shall have all the rights, powers, and privileges which may be conferred by the charter of any similar corporation for similar purposes, passed at the present session of the General Assembly, and not incorporated specifically herein.

Same privileges granted to other corporations.

§ 9. This act shall take effect from its passage.

Approved February 27, 1865.

CHAPTER 1106.

AN ACT to incorporate the Fulton County Seminary.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That S. L. Drury, John R. McGeehee, Samuel Landrum, W. L. Alexander, J. H. Dodds, A. D. Kingman, and James A. Overton, be, and they are hereby, created a body-politic and corporate, to be known by the name of the "Trustees of Fulton County Seminary," and by that name shall have perpetual succession; may sue and be sued, plead and be impleaded, in any court in this State; and shall, in law, be capable of purchasing, acquiring, and holding, to them and their successors in office, any lands, tenements, goods and chattels of any kind, for the use of said seminary.

§ 2. The trustees of said seminary, a majority of them concurring, shall elect one of their own body as president, and also elect a clerk and treasurer of the board, who shall hold their offices during the pleasure of a majority of said board. They shall also elect, a majority concurring, all the professors, assistants, or tutors of said seminary; and upon the death, resignation, disqualification, or removal from office of any trustee, professor, or tutor, or any officer of said seminary, the board of trustees shall fill the vacancy until the next regular election; a majority of said board of trustees shall constitute a quorum for the transaction of business.

§ 3. The trustees shall have power to make such by-laws, rules, regulations, and ordinances, not inconsistent with the laws and constitution of this State or of the

1865.

United States, as they shall deem necessary for the government of the seminary and the management of its property. They may require of their treasurer such bond with surety as they shall deem proper; and a violation of any of the provisions of said bond may be enforced in any of the courts of this State having jurisdiction of the amount in controversy. They may also elect, from time to time, such other officers, and prescribe their duties, as they shall deem the proper management and prosperity of the seminary demands.

§ 4. Said trustees shall not be required to procure a common seal; but all their corporate acts may be done and evidenced by the official signature of the president, and attested by the clerk.

§ 5. The trustees hereby appointed shall, on the first day of May, 1865, in the town of Hickman, open books for the subscription of stock to said seminary, and shall keep the same open for at least ten days, and at such other times and places as the board of trustees may direct; each share of stock shall be fifty dollars, and each share of stock shall entitle the owner thereof to one vote in the election of trustees. No person shall be eligible to the office of trustee unless he is a stockholder.

§ 6. The trustees shall have power to confer upon students in said seminary any or all diplomas or degrees conferred by any of the colleges of this State; but all such diplomas or degrees must also be signed by the principal of the seminary.

§ 7. That when the seminary hereby made corporate shall afford facilities for teaching all the children of the school district in which it may be located, then the school trustees may report the same as the common school of said district; and it shall be entitled to draw all moneys coming to such district from the common school fund.

§ 8. The trustees hereby appointed shall hold their office until the first Saturday in June, 1866; and on that day an election shall be held by the stockholders of said seminary for seven trustees; and also every two years thereafter, at such time and place in Fulton county as may be fixed by said trustees in their by-laws; and two of said trustees and the clerk shall preside over and hold said election; the election to be *viva voce*; and the trustees hereby appointed and elected as herein provided, shall hold their office until their successors are chosen and qualified.

§ 9. This act shall take effect from its passage.

Approved February 27, 1865.

CHAPTER 1108.

1865.

AN ACT for the benefit of the Pauper Lunatics of Knox County.

WHEREAS, It is represented that in the county of Knox there are two pauper lunatics who have been duly examined as required by law, and who could not be taken in at the asylums for want of room; and for remedy wherefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor of Public Accounts be, and he is hereby, authorized to draw his warrant on the Treasurer in favor of James W. Davis, for the benefit of William Picket and Emily Harkleroad, pauper lunatics, for the sum of seventy-five dollars each.

§ 2. This act to be in force from its passage.

Approved February 27, 1865.

CHAPTER 1113.

AN ACT for the benefit of Sarah Johnson, Committee of John Johnson.

WHEREAS, It appears from a certified transcript from the records of the Butler circuit court, that John Johnson was found an idiot, that he had no estate, and was supported out of the State Treasury until the November term, 1854, of said court, when it was unsafe to bring him into court to have the proper inquest and proof of his continued idiocy; that at the February term, 1864, of said court, the said John Johnson was again found to be an idiot of no estate, and that he had been supported from November, 1854, to February, 1864, by his committee, Sarah Johnson; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor of Public Accounts be, and he is hereby, authorized and instructed to draw his warrant on the State Treasurer, in favor of Sarah Johnson, for the sum of four hundred and fifty dollars, for the support by her of said John Johnson, said pauper idiot, from November, 1854, until February, 1864.

§ 2. That this act shall take effect from and after its passage.

Approved February 27, 1865.

1865.

CHAPTER 1114.

AN ACT changing the name of the Breckinridge County Petroleum Company, of Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the name of "The Breckinridge Petroleum Company, of Kentucky," be, and the same is hereby, changed to "The Jennings Oil and Mining Company."

§ 2. This act to be in force from its passage.

Approved February 27, 1865.

CHAPTER 1116.

AN ACT to incorporate the Mason and Fleming Petroleum, Salt, Rock, Lumber, Manufacturing, and Iron Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

First board of directors, term of office, &c.

May hold lands.

Capital stock.

When to hold election.

§ 1. That William Bell, Lucien S. Luttrell, John F. Fleming, James Ross, and James T. Johnston, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name of "The Mason and Fleming Petroleum, Salt, Rock, Lumber, Manufacturing, and Iron Company;" and by that name shall have perpetual succession, with all the powers and rights incidental to corporations for the purposes hereinafter mentioned; and the above named persons shall be and constitute the first board of directors, and hold office for one year, or until their successors are elected by a majority in interest of the stockholders; any two of which shall constitute a quorum and may fill any vacancy resulting from death, refusal to act, or otherwise.

§ 2. The corporation hereby created is authorized and empowered to acquire and hold lands, in fee simple or by lease; and to bore, mine, and excavate for petroleum, salt, or other minerals, on said lands, and to vend the same in a crude state, or refine the same and vend in any market; the capital stock of said company shall be five hundred thousand dollars, and may be increased by a majority in stock of the stockholders to one million of dollars; the stock shall be divided into shares of not less than five nor more than fifty dollars, as the directors may determine; the shares of stock may be transferred on the books of the company in the manner prescribed by the by-laws; the board of directors may adopt such by-laws as they may deem necessary and proper to carry on the business of the corporation, not inconsistent with the constitution and laws of the United States or of this State.

§ 3. Whenever twenty thousand dollars of the capital stock is subscribed, and twenty per cent. thereof paid, the

directors, or any two of them, shall give notice of the time and place of the election of a new board of directors in some newspaper, for such time as they may deem necessary; the stockholders may vote by proxy; the new board elected as above provided shall be constituted of not less than three nor more than five members, as may be fixed by the by-laws, and shall hold their office for one year, and until their successors shall be chosen; they shall select one of their number as president, and exercise all the powers hereby conferred; the company may establish offices at any place they deem proper; and appoint secretary, treasurer, and other officers fixed by the by-laws; any of the incorporators herein named may open books of subscription, and receive subscriptions to the capital stock of said company; and may receive subscriptions of stock in real estate, oil wells, oil privileges, or other mineral or manufacturing privileges, at such price as may be agreed upon by a majority of the corporators herein named; and the stock so taken in real estate, oil wells, oil privileges, or other mineral privileges, shall be deemed personal estate, and transferred as other stock; the books for the subscription of stock may be opened and closed at such times and places as by a majority of the directors may be deemed proper.

1865.

New board,
term of office,
&c.

President.

May establish
offices at differ-
ent places, ap-
point officers,
&c.

§ 4. The corporation may hold and own all such personal estate as will enable them to carry on their business, and transporting the products thereof to market.

May hold per-
sonal estate.

§ 5. This act shall take effect from its passage.

Approved February 27, 1865.

CHAPTER 1117.

AN ACT to incorporate the Lexington and Louisville Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Samuel Gill, H. Cockrill, Thos. L. Crittenden, A. A. Curtis, J. C. Sayers, S. G. Suddarth, and their associates and successors, are hereby created a body-politic and corporate, by the name and style of the "Lexington and Louisville Oil and Mining Company;" and by that name said incorporation shall have power to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places as a natural person, forever; and to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this State and the United States.

Corporators
names, and
corporate pow-
ers.

1865.

May hold real
estate.Powers of cor-
poration.

§ 2. The said company shall have power to purchase, acquire, and hold such real estate in the State of Kentucky, and elsewhere, by lease, in fee simple, or otherwise; and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and in any other manner search for coal, oil, salt, and any other mineral products and deposits in the earth; to extract, take out, develop, smelt and refine, reduce and manufacture, purchase and prepare for market, any or all of said mineral products, oils, or deposits aforesaid, and to transport or sell the same in or out of this State; to buy, erect, or construct all buildings, machinery, tools, fixtures, and personal property deemed necessary or proper in carrying on said business, or any part thereof; to sell, convey, transfer, or assign all or any part or interest in said estate, real or personal, corporeal or incorporeal, and to exercise any necessary or proper power to carry out the expressed powers herein granted. Said company may hold its main office within or out of this State, as the board of directors may decide is best for the interests of the company; said company shall not have nor exercise any banking privileges; but it may borrow money upon such bonds or other evidences of debt as the board of directors may direct, to be executed in such sums, and at such times, and in such places, and at such rate of interest, not exceeding ten per cent. per annum, as the board of directors may deem advisable; and they may execute mortgages upon any or all the property of the company to secure the payment of such debts, from time to time, as may be created.

Capital stock.

First board of
directors.May open
books.When to com-
mence business

§ 3. The capital stock of said company shall not exceed four millions of dollars, to be divided into shares of fifty dollars each, which shares shall be personal property, and shall be evidenced and transferred as prescribed by the by-laws of the company. The board of directors may fix the capital stock at first at a less sum than four millions of dollars, and increase the same, from time to time, as they may deem expedient, but not above said sum; the said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; they or a majority of them shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment and the time, manner, and grounds of forfeiture of stock subscribed for and not paid in as required by call; and when not less than fifty thousand dollars are subscribed and such portion thereof paid in as the said board of directors may require to be paid in cash, the company may proceed to business; and the board, or a majority

thereof, shall organize by electing one of their number to be president of the company; the president and directors shall have power to appoint a secretary, treasurer, and such other inferior officers as the company from time to time may require, fix their salaries and prescribe their duties, as well as those of the president, and the time such inferior officers shall hold their respective positions; and may require and take from all officers such bonds as may be necessary to secure a faithful discharge of their duties, and may remove such inferior officers at pleasure.

1865.

Officers to be appointed.

§ 4. The president and board of directors shall provide by the by-laws for the annual election by the stockholders of a board of directors of not less than five nor more than nine, who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and board of directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof, as may by the provisions of the by-laws constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided by their by-laws.

Annual elections, term of office, &c.

Quorum, vacancies, &c.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings for any purpose, and must be voted by the holder in person or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not at the time in good faith own in his own exclusive right at least five shares of the capital stock of said company paid up in full.

How stock voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary agents, employes, and operatives for said company.

Agents may be appointed.

§ 7. The said company may, from time to time, as it may deem proper, make, declare, and pay dividends or profits, and distribute its net receipts and proceeds of sales among the stockholders *pro rata*, according to the stock held by each.

May declare dividends.

§ 8. This act shall be in force from and after its passage.

Approved February 27, 1865.

CHAPTER 1118.

AN ACT to incorporate the Lincoln County Petroleum and Mineral Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. C. Culbertson, Wm. Young, A. J. Alexander, James Clark, and Charles White, and their successors, shall be, and are hereby, made a body-corporate, under

Corporators' names, and corporate powers.

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the name of the "Lincoln County Petroleum and Mineral Company," and by that name shall be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded, in all courts and places whatsoever, for the purpose of mining and boring for petroleum, salt water, or carrying on the mining business in any mineral; buying, selling, transporting, and building any machinery necessary in conducting this business.

Bonds, mortgages, &c., on real estate.

May hold real estate.

§ 2. They may, in their corporate capacity and name, make to any person or persons, or body-politic or corporate, any and all writings, notes, bonds, or mortgages, on real or personal property belonging to said corporation, in the due prosecution of their business, or as security for the loan of money borrowed from said company, to any person or persons, or body-politic or corporate; and may have and use a common seal, and change, alter, or renew the same at pleasure. The said corporation hereby created may be capable to acquire, purchase, receive, have, hold, and enjoy, and again sell or dispose of, such personal or real estate as may be useful or advantageous for said corporation to carry on their mining and mineral business, or other operations before mentioned; and such other real estate as shall have been *bona fide* mortgaged or pledged to them, by way of security, or conveyed to them by way of satisfaction for debts or liabilities previously contracted in their business, or purchased at sale upon judgments which shall have been obtained for such debts or liabilities.

Who to manage affairs of corporation.

When directors are elected.

How stock voted.

Officers to be appointed.

§ 3. The stock, property, and concerns of said corporation shall be managed and controlled by a board of not less than three or more than five directors, being stockholders, one of whom shall be president and hold his office for one year; and said directors shall be chosen on the first Monday in January in each and every year, at such time and place as shall be directed by the by-laws of said corporation; and proper notice shall be given in one or more newspapers published in the city of Louisville, not less than ten days previous to the election; and such stockholders shall be at such elections entitled to vote, in person or by proxy, as he or she shall hold shares of the capital stock of said corporation; and the persons having or receiving in such election the greatest number of votes, and being stockholders, shall be directors; and the directors chosen at one election shall be capable of serving, by virtue thereof, until another election shall have been held. The directors so chosen may appoint such officers, including the president and superintendents, and assign such compensation, as they shall think fit, not less than a majority of the whole number of directors being present when the same shall be done; and all vacancies occurring by death, resig-

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nation, or otherwise, among the directors named in this act, or those hereafter to be chosen, shall be filled by such person or persons as the remainder of the directors, or a majority of them for the time being, shall appoint for that purpose. W. C. Culbertson, William Young, James Clark, Charles White, A. J. Alexander, shall be the first directors for said corporation, and shall hold their office until the first Monday of January next, and until others are legally chosen.

§ 4. The capital stock of said corporation shall not exceed four hundred thousand dollars, which shall be divided into such shares, and transferable in such a manner, as the by-laws of said corporation may prescribe; but so soon as twenty-five thousand dollars shall be subscribed, it shall be lawful for said corporation to commence business, and with that capital to continue the same until they shall deem it expedient to extend the same; it shall be lawful for the directors of said corporation, or a majority of them, to call for, and demand from the stockholders respectively, all such sums of money by them subscribed, at such times, and in such proportions, as they shall deem proper, under pain for forfeiting the shares of such stockholders, and all previous payments thereon, if such payments shall not be made within thirty days after the time fixed for that purpose by public notice previously published for the space of thirty days in one or more newspapers, designating the proportion of such payments for shares of stock, and the time and place when, and the officer to whom, the same shall be required to be paid.

Capital stock.

§ 5. Books for the subscription of the stock shall be opened in Louisville, and such other places as the directors may deem proper, and remain open until the amount called for may be subscribed.

May open books.

§ 6. The stock and property of said corporation, of whatever name or kind, shall be deemed personal estate; and that no dividend shall be made to and among the stockholders, except from and out of the net profits of the said corporation.

Stock personal estate.

§ 7. In case it shall at any time happen that an election shall not be made upon the day designated by this act for that purpose, the said corporation shall not for that cause be deemed to be dissolved; but it shall be lawful to hold such election on such other days as shall be prescribed by the laws of said corporation.

Corporation not dissolved if election not held.

§ 8. A majority of directors for the time being shall form a board for the transaction of the business of the said corporation, and shall have power to make and enforce such by-laws and regulations as they shall deem expedient for the government, management, and disposition of the stock, effects, profits, and concerns of said corporation: *Provided,*

Quorum, by-laws, &c.

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That the same are not contrary to the constitution or the laws of the United States or of this State.

Record to be kept.

§ 9. The directors shall at all times keep, or cause to be kept, proper books, in which shall be regularly entered all transactions and business of the said corporation.

How corporation may be dissolved.

§ 10. The said corporation may be dissolved at and by a general meeting especially summoned for the purpose: *Provided*, That at least three fourths in value of the stockholders shall be present or represented therein; and upon such dissolution, the directors for the time being, and their survivors, shall be trustees for settling the affairs of said corporation, disposing of its effects, recovering the claims, and paying its debts, and dividing the surplus among its stockholders in proportion to their respective interests in the stock, unless the stockholders at such general meeting shall appoint other persons not less than three or more than five in number.

§ 11. The right to alter, amend, or repeal this charter is reserved to the General Assembly.

§ 12. This act to take effect from its passage.

Approved February 27, 1865.

CHAPTER 1119.

AN ACT to incorporate the Lake Mining and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That S. T. Powers, S. W. McKibben, J. M. Harlan, James Harlan, jr., and F. L. Cleveland, and their associates, successors, and assigns, are hereby created a body-politic and corporate, by the name and style of "The Lake Mining and Manufacturing Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places, as a natural person; to have and use a common seal, and alter the same at pleasure, and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the Constitution and laws of this Commonwealth.

May hold real estate.

Business of corporation.

§ 2. The said company shall have power to purchase and hold such real estate in Kentucky and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, salt, and other minerals, products and deposits in the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, and prepare for market, any or all of said minerals, products, or

1865.

deposits, and to transport or sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property, deemed necessary or proper in carrying on said business, or any part thereof; to sell, convey, transfer, or assign, all or any part or interest in said estate, real or personal, corporeal or incorporeal, and to exercise any necessary or proper powers to carry out the expressed powers herein granted: *Provided*, That nothing herein contained shall be construed as granting to said company any banking powers.

§ 3. The capital stock of said company shall not exceed three hundred thousand dollars, to be divided into shares of fifty dollars each, which shares shall be personal property, and transferable in such mode as may be prescribed by the by-laws of the company; and the persons named in the first section shall have power to fix the time, place, and manner of voting for directors, who shall hold their office until the first annual election, which shall take place within six months thereafter, and annually from the time of the first annual election; the board of directors shall have power to open books for subscription of stock, and prescribe the manner of payment, and the grounds of forfeiture of stock subscribed for and not paid in as required.

Capital stock.

§ 4. The by-laws shall provide for the annual election by the stockholders of a board of not less than three nor more than seven directors; who, when elected in each year, shall choose one of their number as president; and the president and directors shall hold their office until their successors are elected and qualified in the mode prescribed by the by-laws; and said board, or so many as the by-laws may provide, shall constitute a quorum for business, and may fill vacancies in the board occurring between annual elections.

Annual elections, term of office, &c.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings, and must be voted by the holder in person or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not own at least three shares of capital stock.

How stock voted.

§ 6. The by-laws may provide for the appointment, employment, and payment of all necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and security of such of its officers, and in such amount and penalty, as it may deem proper, for the faithful discharge of their duties.

Officers to be appointed.

§ 7. The said company may, from time to time, as it may deem proper, make, declare, and pay dividends or profits, and distribute its net receipts and the proceeds of

May declare dividends.

1865. sales among the stockholders *pro rata*, according to the amount of stock held by each.

§ 8. Said company shall possess, exercise, and enjoy all the powers, rights, and privileges which have been, or may be, conferred by any act of this General Assembly upon any similar corporation for similar purposes.

§ 9. This act shall be in force from its passage.

Approved February 27, 1865.

CHAPTER 1120.

AN ACT to incorporate Noah's Dove Encampment No. 13, Independent Order of Odd Fellows.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That R. E. Powell, G. W. Vaughan, and J. W. H. Searls, and their associates, be, and they are hereby, created a body corporate, by the name and style of "Noah's Dove Encampment No 13, Independent Order of Odd Fellows." and they, and their associates and successors, shall so continue and have perpetual succession; and by that name are made capable in law, as natural persons, to sue and be sued, plead and be impleaded, contract and be contracted with, answer and be answered, in all courts of law and equity in this Commonwealth; to make, have, and use a common seal, and the same to break, alter, or amend at pleasure. They may make and ordain regulations and by-laws for their government, and those now in force in said Encampment to alter when deemed proper, and may change and renew the same at pleasure, provided they be not in contravention of the constitution, laws, and regulations of the Grand Lodge of the Independent Order of Odd Fellows, incorporated by an act approved February 16th, 1838, nor in contravention of the Constitution and laws of the United States or of this State.

§ 2. The said corporation shall have power and authority to acquire and hold real or personal estate, not exceeding twenty thousand dollars in value, and from time to time, if deemed expedient, sell and convey the same, or any part thereof, and to reinvest and dispose of the proceeds.

§ 3. The right to alter, amend, or repeal this act is hereby reserved to the General Assembly.

Approved February 27, 1865.

CHAPTER 1121.

1865.

AN ACT to incorporate the Lemon Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That George W. Lemon, Wm. T. Lemon, James C. Lemon, and their associates and successors, he, and they are hereby, created a body-politic and corporate, under and by the name of "Lemon Petroleum and Mining Company," and by that name the said company shall be competent to contract and to be contracted with, to sue and to be sued, in all courts of competent jurisdiction in this Commonwealth; with full power and authority to themselves and their successors to acquire and hold, possess, use, and enjoy such lands, leases, rents, tenements, goods, chattels, properties, and effects, not exceeding in value the sum of five hundred thousand dollars, for the purpose of conducting the business of boring for, excavating, and mining petroleum, coal, and other volatile and mineral substances, and their manufacture and conversion into merchantable articles; and the said company may construct upon any lands they may acquire under the provisions of this act, such machinery, establishments, works, railways, and canals as may be necessary for developing the resources of its properties and facilitate the transportation of the products to a market: *Provided*, That no public highway or water-course be obstructed by the construction or erection of such railways, canals, or works: *And provided further*, That no private property be held to the use of said company without first obtaining the consent of such owner or owners.

Corporators' names, and corporate powers.

§ 2. Said company may sell and convey, lease, mortgage, and pledge any of its real estate and personal property and effects, in such a manner as may become necessary, or deemed to be advisable for transacting and facilitating their business; and the said company may have and use a common seal, and the same to alter, amend, break, and renew at pleasure; and the said company shall also have the power of making and establishing such by-laws, rules, and regulations as shall be necessary and proper for the good government of said company, and the prudent and efficient management of its affairs, and of providing for the faithful execution of the same, provided the same be not contrary to the laws of this State or of the United States.

May pledge real estate.

Common seal, by-laws, &c.

§ 3. Said company shall have power to appoint any one or more of its members, or other persons, to manage, direct, and control its business according to the by-laws, rules, and regulations which said company may adopt.

Who to manage affairs of corporation.

§ 4. The capital stock of the said company shall not exceed the sum of five hundred thousand dollars, to be divided into shares of one hundred dollars each, which shall be

Capital stock.

1865. subscribed and paid for in such manner as said company may prescribe by its laws.

May be forfeited.

§ 5. Should any subscriber to the capital stock of said company fail to pay the amount so subscribed by him, her, or them, within thirty days after the same shall have been demanded of said subscriber by the proper officer of said company, then and in that event the stock of such delinquent subscriber may be declared forfeited, as provided for in the by-laws of said company, together with all previous partial payments which may have been made by said delinquent subscriber; and the same, when forfeited, shall inure to the benefit of said company; or the said delinquent subscriber may be sued for any unpaid amount due upon his, her, or their stock, at the election of the proper officers of said company.

Record of corporation open to inspection.

§ 6. The said company, when fully organized, shall cause a book to be opened, and kept subject to the inspection of any member of said company, which shall contain the names of all the members, and the number of shares owned by each; and the said shares may be transferred on said book in the manner to be prescribed in the by-laws of said company; and each member shall share the profits and liabilities of said company to the extent of, and in proportion only to, the amount of stock owned by him or her in said company.

§ 7. Said company may commence operations at any time after the passage of this act.

Approved February 27, 1865.

CHAPTER 1122.

AN ACT to incorporate the Greenville Petroleum and Coal Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Charles C. Martin, D. A. Martin, and William C. Martin, and their associates, successors, and assigns, be, and they are hereby, created a body-corporate, by the name, style, and title of the "Greenville Petroleum and Coal Company," and by that name are hereby made as capable in law as natural persons to contract and be contracted with, sue and be sued, plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain and put in execution all said by-laws, ordinances, and regulations as shall seem necessary and proper for the conducting and government of said corporation, not inconsistent with the constitution and laws of this State or the United States.

Capital stock.

§ 2. The capital stock of said company shall not be less than ten thousand dollars, and may be increased to two

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hundred thousand dollars, to be divided into shares of not less than five dollars nor more than one hundred dollars each. Said company may, however, commence operations as soon as ten thousand dollars of said capital stock is subscribed, and five thousand dollars thereof paid in; and the remaining portion of said stock may be issued and sold by the board of directors of said company at such times as to them may seem best.

§ 3. The said company shall have power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: To explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, zinc, and other minerals, and in the manufacture of the same, and other products of land now owned by them, or which may be hereafter owned or leased by them; to purchase, build, and own boats and other necessary improvements and machinery for carrying on said business; to erect all necessary buildings for the transactions; to hold such mining rights, and rights of way and real estate, as they may deem necessary for a successful prosecution of their business; and the same, or any part thereof, to sell or otherwise dispose of, as the interest of said company may require.

May hold real estate.

§ 4. For conducting the affairs of said company, a board of not less than three nor more than five directors of said company shall be chosen; said board shall choose one of its members, who shall be president of said company, and said board shall serve for one year, or until their successors are elected and qualified. The president and directors shall have power to appoint all other officers, agents, and servants, and remove them at pleasure. In all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy. The stock of said company shall be deemed personal estate.

Who to manage affairs of corporation.

Officers to be appointed.

§ 5. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

May open books.

§ 6. That it shall be lawful for the president and directors of said company, from time to time, to borrow or obtain on loans, such sums of money, and on such terms as they may deem expedient, for the use of said company, and to pledge or mortgage all or any part of the estate, improvements, privileges, effects, and assets of said company for the repayment of such sums of money so borrowed, at such times as may be agreed on.

May borrow money.

§ 7. In the event of failure of any stockholder to pay up his stock, as called for by order of the board, the share or shares of such stockholders may be forfeited by the presi-

Stock may be forfeited.

1865. dent and directors, or they may, if they so elect, sue and recover the same.

§ 8. Said company shall have, possess, and enjoy all the rights, privileges, and immunities conferred by law in this State upon any other petroleum and mining company chartered for similar purposes.

§ 9. This act to take effect upon its passage.

Approved February 27, 1865.

CHAPTER 1123.

AN ACT to incorporate the Southwestern Kentucky Rock Oil Association.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Wm. W. Crawford, W. L. Shallcross, Lewis N. Dembitz, of Jefferson county; Richard Radford, of Shelby county; E. D. Payne, of Montgomery county, Ohio, their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Southwestern Kentucky Rock Oil Association," with all the rights, privileges, duties, and incidents as to extent of capital, and of every other kind and description, given or imposed to the corporators in the "Germania Oil Company," by the act, chapter 762, of the acts passed at this present session of this General Assembly, subject to any general law passed or to be passed in reference to like corporations, and to the reserved right of this Legislature to alter or repeal this act; except that they shall use the above given title of the "Southwestern Kentucky Rock Oil Association," instead of the name of "Germania Oil Company," aforesaid.

§ 2. This act to take effect from and after its passage.

Approved February 27, 1865.

CHAPTER 1124.

AN ACT to incorporate the Kentucky River and Clear Creek Burning Well Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Wm. Pope Yeaman and Thos. Porter be, and they are hereby, created a body-politic and corporate, by the name of the "Kentucky River and Clear Creek Burning Well Petroleum Company," with perpetual succession, with all the powers and rights incidental to corporations, for the purposes hereinafter mentioned. And the above-named persons shall be and constitute the first board of directors, and hold office for one year, or until their succe-

Corporators' names, and corporate powers.

1865.

sors are elected by a majority in interest of the stockholders, any two of which shall constitute a quorum, and may fill any vacancy resulting from death, refusal to act, or otherwise.

§ 2. The corporation hereby created is authorized and empowered to acquire and hold lands, in fee simple or by lease, and to bore, mine, and excavate for petroleum, salt, and other minerals, on said land, and to run the same in a crude state, or refine the same, and send in any market. The capital stock of said company shall be three hundred thousand dollars, and may be increased by a majority in stock of the stockholders to one million of dollars. The stock shall be divided into shares of not less than five nor more than fifty dollars, as the directors may determine. The shares of stock may be transferred on the books of the company in the manner prescribed by the by-laws. The board of directors may adopt such by-laws as they may deem necessary and proper to carry on the business of the corporation, not inconsistent with the Constitution and laws of the United States or of this State.

May hold lands

Capital stock.

When election to be held.

President.

May establish offices at different places, and appoint officers

May open books.

Stock personal estate.

§ 3. Whenever twenty thousand dollars of the capital stock is subscribed, and twenty per cent. thereof paid, the directors, or any two of them, shall give notice of the time and place of the election of a new board of directors, in some newspaper, for such time as they may deem proper; the stockholders may vote by proxy; the new board, elected as above provided, shall be constituted of not less than three nor more than five members, as may be fixed by the by-laws, and shall hold their office for one year and until their successors shall be chosen; they shall select one of their number as president; the company may establish offices at any place they deem proper, and appoint secretary, treasurer, and other officers fixed by the by-laws; any of the incorporators herein named may open books of subscription and receive subscriptions to the capital stock of said company, and may receive subscriptions of stock in real estate, oil wells, oil privileges, or other mineral privileges, at such price as may be agreed upon by a majority of the incorporators herein named; and the stock so taken in real estate, oil wells, oil privileges, or other mineral privileges, shall be deemed personal estate, and transferred as other stock; the books for the subscription of stock may be opened and closed at such times and places as a majority of the directors may deem proper; the corporation may hold and own all such personal estate as will enable them to carry out their business and transporting the products thereof to market.

§ 4. This act shall take effect from its passage.

Approved February 27, 1865.

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CHAPTER 1125.

AN ACT to incorporate the Black Creek Coal, Oil, Lumber, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William Hoffman, James Turley, James H. Trimbell, James D. Hazleriggs, J. N. B. Hardwick, and B. A. Seaver, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of "The Black Creek Coal, Oil, Lumber, Mining, and Manufacturing Company;" and by that name shall have perpetual succession, may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of business and government of said company, not inconsistent with the constitution and laws of this State or the United States.

§ 2. The capital stock of said company shall be five hundred thousand dollars, which shall be divided into shares of one hundred dollars each, to be issued and transferred in such manner, and upon such terms and conditions, as the board of directors of such corporation may prescribe by their by-laws; and the amount of said capital stock may be increased at any time by a vote of a majority of the stockholders of the said company, at a meeting called for the purpose: *Provided*, The capital stock shall not at any time be increased to more than one million of dollars.

§ 3. That said company shall have power to appoint any one or more of its members or other person to manage, contract, and direct the business of said corporation according to the by-laws, rules, and regulations which said company may adopt.

§ 4. That said company may acquire and hold such real and personal estate by contract as they may deem necessary or proper for the carrying on the mining of coal, the procuring and manufacturing of salt, oil, lumber, and turpentine, and the transportation thereof to market, together with such quantities of land as may be necessary for the establishment of mills and landings, machinery, and depots for the same; and if such lands cannot be procured, said company may have the same condemned by filing its petition for that purpose with the clerk of the county court in which it is situated, and obtaining thereon the necessary writs of *ad quod damnum*, and procuring the regular condemnation of land for the use of turnpike roads: *Provided, however*, That no property shall be so taken without the value thereof having been first paid.

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§ 5. The said company, when fully organized, shall cause a book to be opened and report subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred on said books in the manner to be prescribed by the by-laws of said company; and each member shall share the profits and liabilities of said company to the extent of, and in proportion to, the amount of capital stock he owns in said company.

§ 6. The provisions of this act shall not be construed so as to confer banking privileges to this company.

§ 7. This act to be in force from and after its passage.

Approved February 27, 1865.

CHAPTER 1126.

AN ACT to incorporate the Irvine and Jessamine Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That H. I. Todd, G. S. Shanklin, Samuel Gill, A. B. Gilbert, W. C. Goodloe, and A. A. Curtis, and their associates and successors, are hereby created a body-politic and corporate, by the name and style of the "Irvine and Jessamine Oil and Mining Company," and by that name said incorporation shall have power to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places as a natural person, forever; and to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this State and the United States.

Corporators' names, and corporate powers.

§ 2. The said company shall have power to purchase, acquire, and hold such real estate in the State of Kentucky, and elsewhere, by lease, in fee simple, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and in any other manner search for oil, coal, salt, and any other mineral products and deposits in the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market any or all of said mineral products, oils, or deposits aforesaid, and to transport or sell the same in or out of this State; to buy, erect, or construct all buildings, machinery, tools, fixtures, and personal property deemed necessary or proper in carrying on said

May hold real estate.

Business of corporation.

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business or any part thereof; to sell, convey, transfer, or assign all or any part or interest in said estate, real or personal, corporeal or incorporeal, and to exercise any necessary or proper powers to carry out the expressed powers herein granted; said company may hold its main office within or out of this State, as the board of directors may decide is best for the interests of the company; said company shall not have or exercise any banking powers, but it may borrow money upon such bonds or other evidences of debt as the board of directors may direct, to be executed in such sums, and at such times, and in such places, and at such rate of interest, not exceeding ten per cent. per annum, as the board of directors may deem advisable, and they execute mortgages upon any or all the property of the company, to secure the payment of such debts from time to time, as may be created.

Capital stock. § 3. The capital stock of said company shall not exceed four millions of dollars, to be divided into shares of fifty dollars each, which shares shall be personal property, and shall be evidenced and transferred as prescribed by the by-laws of the company; the board of directors may fix the capital stock at first at a less sum than four millions of dollars, and increase the same, from time to time, as they may deem expedient, but not above said sum; the said

First board of directors. persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; they or a majority of them shall have

May open books power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment, and the time, manner, and grounds of forfeiture of stock subscribed for and not paid in as required by call; and when not less than fifty thousand dollars are subscribed, and such portion thereof paid in as said board of directors shall require to be paid in cash, the company may proceed to business, and the board, or a majority thereof, shall organize by electing one of their number to be president of the company; the president and directors shall have power to appoint a secretary, treasurer, and such other inferior officers as the company from time to time may require, fix their salaries, and prescribe their duties, as well as those of the president, and the time such inferior officers shall hold their respective positions, and may require and take from all officers such bonds as may be necessary to secure a faithful discharge of their duties, and may remove such inferior officers at pleasure.

When to commence busin'g.

Officers to be appointed.

Annual elections, term of office, &c. § 4. The president and directors shall provide by the by-laws for the annual election by the stockholders of a board of directors of not less than five nor more than nine, who, when elected in each year, shall choose one of their num-

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ber as president as aforesaid; and the president and directors shall hold their offices until their successors are elected and qualified; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for businesses; may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in their by-laws.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings for any purpose, and must be voted by the holder in person, or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not at the time, in good faith, own in his own exclusive right at least five shares of the capital stock of said company paid up in full.

How stock
voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary agents, employes, and operatives for said company.

May employ
agents.

§ 7. The said company may, from time to time, as it may deem proper, make, declare, and pay dividends or profits, and distribute its net receipts and proceeds of sales among the stockholders pro rata, according to the amount of stock held by each.

May declare
dividends.

§ 8. This act shall be in force from and after its passage.

Approved February 27, 1865.

CHAPTER 1127.

AN ACT to incorporate the Bell Grove Springs and Blue Bank Turnpike Road Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a company shall be, and is hereby, formed under the name and style of the "Bell Grove Springs and Blue Bank turnpike road company," for the purpose of making a turnpike road, commencing at a point on the road leading from Flemingsburg to Poplar Plains, at or near John D. Secrets', and terminating at Bell Grove Springs, in Fleming county. That books shall be opened for subscriptions of stock at the office of Ben. Botts, sheriff, or that of the clerk of the Fleming county court in Flemingsburg, at once, and under the direction of the commissioners hereby appointed, viz: Wm. H. Hendrick, Robert Armstrong, Jeremiah Hall, Robert Kouser, W. H. Cord, John D. Secrets, Andrew Howe, Thomas J. Graham, Wm. Staggs, Samuel Plumer, Hezekiah W. Hinton, Samuel McGuire, or any two or more of whom may act; the books to be kept open until a sufficient sum, in-

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cluding that appropriated and subscribed by the county of Fleming, in the judgment of said acting commissioners or of the board of officers (when organized), to complete said road. The commissioners shall procure a book, and the subscribers to the stock of said company shall enter into the following obligation in said book, viz.: We, whose names are hereunto subscribed, do promise to pay the president, directors, and company of the Bell Grove Springs and Blue Bank turnpike road company the sum of one hundred dollars for each share of stock set opposite to our names, in manner and proportion, and at such times, as may be determined by the president and directors, and agreeably to an act incorporating said company. Witness our hands.

§ 2. That the provisions of the act approved December 18th, 1863, entitled "An act to incorporate the Flemingsburg and Upper Fox Springs turnpike road company," shall apply to this road; and so much of the provisions of the act approved February 26th, 1847, entitled "An act to incorporate the Carlisle and Sharpsburg," as is embraced by section 8, and all subsequent sections thereof, except sections 27, 28, and 29, and wherein said act shall be applicable, shall be, and the same is hereby, adopted and enacted as part thereof, except so far as the rates of toll are fixed in said acts.

§ 3. This act shall take effect from and after its passage.

Approved February 27, 1865.

CHAPTER 1128.

AN ACT to incorporate the Manslick Manufacturing and Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Hon. W. F. Bullock, James Trabue, Dr. R. P. McMurtry, J. D. Allen, Thomas B. Overton, and S. A. Atchison, and their successors and associates, are hereby constituted a body corporate and politic, under the name and style of "The Manslick Manufacturing and Petroleum Company;" and under that name may sue and be sued, purchase and hold lands, by lease or in fee simple, and generally do and perform all acts as a corporation which an individual might lawfully do and perform.

§ 2. The corporators above named shall be and continue the directors of said corporation until their successors shall be elected and qualified; and they may elect one of their own number as president, and may elect a secretary and treasurer, who may be either of their own number or not, as they may determine.

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§ 3. The capital stock of said company shall consist of three hundred thousand dollars, to be divided into shares of ten dollars each; but may be increased at any time, by order of the directors, to any amount not exceeding one million of dollars.

§ 4. The manner and time of electing directors, the number of the same, the manner and time of electing secretary, treasurer, and other officers of the corporation, of receiving subscriptions of stock, or of selling stock in the market, and generally all matters pertaining to the business and conduct of said corporation, shall be controlled and regulated by the by-laws of said corporation, from time to time enacted by the directors thereof.

§ 5. This charter is limited to fifty years; but the Legislature reserves the right to alter, amend, or repeal the same at pleasure; and is declared to be in force from and after its passage.

§ 6. This act shall not be construed as conferring any banking privileges on the company.

Approved February 27, 1865.

CHAPTER 1129.

AN ACT to amend the charter of the Clark's Run and Salt River Turnpike Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That hereafter the Clark's Run and Salt River turnpike road company shall be allowed to collect at their gates, upon each five miles of road, the following rate of toll: for a horse and rider, 10 cents; for a horse, mule, or jack, led or driven, 5 cents; for each head of cattle, 3 cents; for each head of hogs, 1 cent; for each head of sheep, $\frac{1}{2}$ cent; for each single-seated buggy drawn by one horse, 15 cents; double-seated buggy or rockaway drawn by one horse, 20 cents; for each pleasure carriage or hackney coach, or vehicle of any kind, drawn by two horses or mules, 30 cents; for the same when drawn by four horses or mules, 40 cents; for each sleigh drawn by one or two horses or mules, 20 cents; for each wagon drawn by two horses, mules, or oxen, when loaded, 50 cents; each wagon drawn by three animals, 60 cents; same, when drawn by four animals, 75 cents; same, drawn by five animals, 90 cents; same, drawn by six animals, \$1 10; but empty wagons, or such as have no loading but provender for the team, shall pay only half those rates. For each stage-coach, with seats within for six passengers, 50 cents; same, with seats for nine passengers, 75 cents; same, with seats for twelve passengers, \$1. Wagons with broad tread of four inches or upwards, when drawn by four horses, 45

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cents; same, drawn by five horses, 60 cents; same, when drawn by six animals, 75 cents; neighborhood travel and transportation to be charged the same rates in proportion to the distance traveled. The board of managers may increase the toll upon wagons in the winter season, say from 1st December to 1st April, not exceeding twenty-five per cent.

§ 2. That any landholder living on said road, who now has erected, or shall hereafter erect, any fence or other building nearer than twenty feet of the center of said road, he or she shall be liable to a penalty of \$10, to be recovered before a magistrate in the name of and for the use of the Clark's Run and Salt River turnpike road company, and shall be liable to the same penalty as often as the offense shall be committed.

§ 3. That any person piling wood, shingles, staves, or any kind of lumber, on said road, or on the side ditches, or at any point within the limits of said road, which is forty feet wide, they shall, for each and every offense, forfeit and pay \$5, to be recovered and applied as in section two of this act.

§ 4. This act to take effect in sixty days from its passage, and continue in force two years therefrom.

Approved February 27, 1865.

CHAPTER 1130.

AN ACT to amend the charter of the town of Munfordville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That whenever a vacancy shall occur in the office of police judge of the town of Munfordville, the Governor shall fill such vacancy by appointment, which appointee shall continue in office until the the next succeeding April election, and until his successor is elected and qualified.

§ 2. That when any vacancy shall occur in the office of marshal of said town, the Hart county court shall in like manner fill such vacancy by appointment; the appointee being required to execute bond as now required by law, and shall hold the office till his successor be elected and qualified.

§ 3. This act shall be in force from its passage.

Approved February 27, 1865.

CHAPTER 1131.

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AN ACT to incorporate the Knox County, Kentucky, Oil, Salt, and Coal Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Joel W. Ridgell, F. P. Stickley, W. C. Jones, Wm. W. Sawyers, T. J. Pitzer, W. B. Anderson, and A. E. Pogue, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Knox County, Kentucky, Oil, Salt, and Coal Company," and by that name shall have perpetual succession; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company, not inconsistent with the constitution and laws of this State or of the United States.

Corporators' names, and corporate powers.

§ 2. The capital stock of said company shall not exceed two hundred thousand dollars, which shall be divided into shares, subscribed and paid for in such manner as said company may, by its by-laws, prescribe.

Capital stock.

§ 3. That said company shall have power to appoint any one or more of its members, or other persons, to manage, contract, and direct the business of said company, according to the by-laws, rules, and regulations which said company may adopt.

Who to manage affairs of corporation.

§ 4. That said company may acquire and hold such real and personal estate by contract as they may deem necessary or proper for the carrying on the mining of coal, the procuring and manufacture of salt and oil, and the transportation thereof to market, together with such quantities of land as may be necessary for the establishment of mills, machinery, depots, and landings for the same; and if such land cannot be procured said company may have the same condemned by filing its petition for that purpose with the clerk of the county court of the county in which it is situated, and obtaining thereon the necessary writs of *ad quod damnum*, and procuring the regular condemnation thereof, as required by law in the condemnation of lands for the use of turnpike roads: *Provided, however,* That no property shall be so taken without the value thereof having been first paid.

May hold real estate, &c.

§ 5. The said company, when fully organized, shall cause a book to be opened, and kept subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred on said books in the manner to be prescribed by the by-laws of said company; and each member shall share the profits and liabilities of said company to the

Record of stock to be kept.

Liability of stockholders.

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extent of, and in proportion to, the amount of capital stock he owns in said company.

§ 6. The Legislature reserves the right to repeal or alter this charter at will. Nothing contained in this act shall be construed into conferring banking powers upon this company.

§ 7. This act to take effect from its passage.

Approved February 27, 1865.

CHAPTER 1132.

AN ACT to incorporate the Sulphur Lick Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That William C. Trabue, Isaac H. Trabue, and Henry J. Trabue, their associates, successors, and assigns, be, and they are hereby, created a body-corporate and politic, by the name of the "Sulphur Lick Oil and Mining Company," with all of the powers and authority incident to corporations or hitherto granted any corporation within this Commonwealth for the purposes hereinafter mentioned.

May hold real estate, &c.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., mining coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same, and to cut, raft, or float the timber from said lands, or build any and all kinds of flats, boats, mills, or other buildings, fixtures, and machinery deemed proper, in order to further the operations of said corporation, or dispose of any portion or portions of its territory or other property deemed advisable, and convey the same by deed or otherwise.

Capital stock.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each; and may be issued and transferred in such manner, and upon such conditions, as the board of directors of said corporation may direct; and the capital stock may be increased, if deemed proper, and the shares of stock in said company shall be deemed and held as personal estate.

Who to manage affairs of corporation.

§ 4. The affairs of said company shall be managed by three directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board of directors shall consist of William C. Trabue, Isaac H. Trabue, and Henry J. Trabue, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the

Term of office.

board of directors thus chosen shall continue in office for one year, or until their successors are elected. If any of the directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else. They may adopt such by-laws and rules, and alter, amend, or repeal the same, from time to time, for the government of the corporation and the management of its affairs and business, as they may deem proper, not inconsistent with the constitution and laws of the State or the United States. The said corporation, or any of them, may open books and receive subscriptions to the capital stock of said company, and give such notice thereof, times, places, &c., as may be deemed proper. Whenever fifty thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year, or until their successors are elected as provided herein, and may make such calls of payment of stock as they may deem proper, not to exceed twenty per cent. for every thirty days; and in default of payment, the by-laws of said company may authorize a forfeiture of stock. They may keep their office at such place or places as they may deem to the interest of the corporation. They may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as they may fix; and by their by-laws regulate and fix the mode of keeping their records; and may use a common seal, and alter the same at pleasure; may sue and be sued, and maintain any action, whether as plaintiffs or defendants, in any of the courts of this Commonwealth.

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Vacancies.

May make by-laws.

May open books.

When election may be held.

Calls on stock.

May establish offices at different places. Officers to be appointed.

§ 5. No banking privileges are granted by this act, which shall take effect from its passage.

Approved February 27, 1865.

CHAPTER 1133.

AN ACT for the benefit of W. E. Hill, Sheriff of Johnson County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. E. Hill be, and he is hereby, released from the payment of the interest on a judgment rendered against him in the Franklin circuit court, on his official bond as sheriff of Johnson county, for failure to pay into the Treasury the revenue for said county for the year 1862, said Hill having fully paid up the principal of said judgment.

§ 2. This act shall take effect from its passage.

Approved February 27, 1865.

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CHAPTER 1134.

AN ACT to amend the charter of the Greenup Coal and Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the charter of the "Greenup Coal and Oil Company," approved February 15th, 1860, be so amended as to confer upon Michael Ryan and George Wurts, who are represented to be the present owners of all the stock and property of said company, all the rights, powers, duties, and privileges conferred by said charter upon the original corporators.

§ 2. This act shall take effect from and after its passage.

Approved February 27, 1865.

CHAPTER 1135.

AN ACT to amend an act, entitled "An act to incorporate the Sharpsburg Male and Female Academy."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That so much of said act as requires a majority of all the stockholders to elect trustees is hereby repealed; and that a majority of those voting at an election (after first advertising for ten days) shall be sufficient to elect as fully as if the whole had voted.

§ 2. This act to be in force from its passage.

Approved February 27, 1865.

CHAPTER 1136.

AN ACT authorizing the Harrison County Court to invest the Henry C. Moore School Fund in Land or Stocks.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of the county of Harrison (a majority of the justices being present), as trustees of the Henry C. Moore school fund, be, and they are hereby, authorized and empowered, in their discretion, to invest said fund in land or in good interest-paying stocks; the interest on such stocks or rent of land so purchased to be appropriated in accordance with the provisions of the last will and testament of said Henry C. Moore, deceased.

§ 2. That said county court, in order to carry this act into effect, may receive title to and hold any real estate in which said fund may be invested, in accordance with the provisions of said will, and may, when the interest of said

fund shall require it, sell any stocks, and sell and convey any real estate purchased under this act. 1865.

§ 3. This act to be in force from its passage.

Approved February 27, 1865.

CHAPTER 1137.

AN ACT for the benefit of the Female Seminary of Paducah.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the persons named in the chapter and act referred to in the title of this act, are hereby authorized and empowered to qualify as trustees of said seminary, within a reasonable time from the passage of this act, and remain in office for three years, and until their successors are duly elected and qualified, from the first Monday in October, 1864, with all the powers, duties, and responsibilities of trustees aforesaid.

§ 2. All acts or parts of acts inconsistent with this act, are hereby repealed.

§ 3. This act shall be in force from and after its passage.

Approved February 27, 1865.

CHAPTER 1138.

AN ACT to incorporate the Tug Fork Lead, Iron, Salt, and Oil Mining and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Thomas Wrightson, R. T. Baker, Jacob Hawthorn, and their associates, successors, and assigns, be, and they are hereby, created a body corporate, by the name and style of "The Tug Fork Lead, Iron, and Oil Mining and Manufacturing Company;" and by that name are hereby made as capable in law as natural persons to contract and be contracted with, sue and be sued, plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a corporate seal; to ordain and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and proper for the conducting and government of said corporation, not inconsistent with the constitution and laws of this Commonwealth or the United States.

§ 2. The capital stock of said company shall be one million dollars, to be divided into shares of fifty dollars each; said company may, however, commence operations as soon as ten thousand dollars of said capital stock is

1865. subscribed, and five thousand dollars of said stock is paid in; and the remaining portion of said stock may be issued and sold by the board of directors of said company at such times as to them may seem best.

§ 3. The said company shall have power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, zinc, and other minerals, and in the manufacture of the same and other products of land now owned by them, or may be hereafter owned or leased by them; to purchase, build, and own boats and other necessary improvements and machinery for carrying on said business; to erect all necessary buildings for their transactions; to hold such mining rights, and rights of way and real estate, as they may deem necessary for a successful prosecution of their business, and the same, or any part thereof, to sell or otherwise dispose of, as the interest of said company may require.

§ 4. For conducting the affairs of said company a board of not less than three nor more than five directors of said company shall be chosen; said board shall choose one of its members who shall be president of said company; and said board shall serve for one year, or until their successors are elected and qualified.

§ 5. The president and directors shall have power to appoint all other officers, agents, and servants, and remove them at pleasure; in all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy; the stock of said company shall be deemed personal estate.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, to borrow or obtain on loans such sums of money, and on such terms, as they may deem expedient for the use of said company; and to pledge or mortgage all or any part of the estate, improvements, privileges, effects, and assets of said company for the repayment of such sums of money so borrowed, at such times as may be agreed on.

§ 8. In the event of failure of any stockholder to pay up his stock as called for by order of the board, the share or shares of said stockholder may be forfeited by the president and directors; or they may, if they so elect, sue and recover the same.

§ 9. Said company shall have, possess, and enjoy all the rights, privileges, and immunities conferred by law in this

State upon any other petroleum and manufacturing company chartered for similar purposes this session.

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§ 10. This act to take effect upon its passage.

Approved February 27, 1865.

CHAPTER 1139.

AN ACT to incorporate the Loretto Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That John R. Thomas, Jos. H. Chandler, Fletcher Wilson, and H. D. McHenry, and J. A. Morrison, their associates, successors, and assigns, be, and they are hereby, created a body-corporate, by the name, style, and title of the "Loretto Oil, Mining, and Manufacturing Company," and by that name are hereby made as capable in law as natural persons to contract and be contracted with, sue and be sued, plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and proper for the conducting and government of said corporation, not inconsistent with the constitution and laws of this State or the United States.

Corporators' names, and corporate powers.

§ 2. The capital stock of said company shall be one million dollars, to be divided into shares of fifty dollars each. Said company may, however, commence operations as soon as twenty-five thousand dollars of said capital stock is subscribed, and ten thousand dollars thereof paid in; and the remaining portion of said stock may be issued and sold by the board of directors of said company, at such times as to them may seem best.

Capital stock.

§ 3. The said company shall have power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, zinc, and other minerals, and in the manufacture of the same and other products of land now owned by them, or which may be hereafter owned or leased by them; to purchase, build, and own boats and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for the transactions; to hold such mining rights, and rights of way, and real estate, as they may deem necessary for a successful prosecution of their business; and the same, or any part thereof, to sell or otherwise dispose of, as the interest of said company may require.

May hold real estate.

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Board of directors, president, &c.

Officers to be appointed.

§ 4. For conducting the affairs of said company, a board of not less than three nor more than five directors of said company shall be chosen; said board shall choose one of its members, who shall be president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The president and directors shall have power to appoint all other officers, agents, and servants, and remove them at pleasure. In all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy. The stock of said company shall be deemed personal estate.

May open books.

§ 5. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

May borrow money.

§ 6. That it shall be lawful for the president and directors of said company, from time to time, to borrow or obtain on loans, such sums of money, and on such terms, as they may deem expedient, for the use of said company; and to pledge or mortgage all or any part of the estate, improvements, privileges, effects, and assets of said company, for the repayment of such sums of money so borrowed, at such times as may be agreed on.

Stock may be forfeited.

§ 7. In the event of failure of any stockholder to pay up his stock, as called for by order of the board, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

§ 8. Said company shall have, possess, and enjoy all the rights, privileges, and immunities conferred by law in this State upon any other petroleum and manufacturing company chartered for similar purposes.

§ 9. This act to take effect upon its passage.

Approved February 27, 1865.

CHAPTER 1140.

AN ACT to incorporate the Cumberland and Kentucky River Coal, Oil, and Lumber Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That T. Q. Jasper, Dudley Portwood, W. G. Logan, James B. Logan, and their associates and successors, be, and are hereby, created a body-politic and corporate, by the name and style of the "Cumberland River Coal and Lumber Company," and by that name shall have perpetual succession, may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at

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pleasure; may make all necessary by-laws for the transaction of business and government of said company, not inconsistent with the constitution and laws of this State and of the United States; the capital stock shall not exceed one million of dollars, which shall be divided into shares, subscribed and paid for in such a manner as said company may by its by-laws prescribe.

§ 2. That said company shall have power to appoint any one or more of its members, or other persons, to manage, control, or direct the business of said company according to the by-laws, rules, and regulations which said company may adopt.

§ 3. That said company may acquire and hold such real and personal estate as they may deem necessary or proper for carrying on the mining of coal, the procuring, sawing, or manufacturing of lumber, and the transportation thereof to market, together with such quantities of lands as may be necessary for the establishment of mills and landings, machinery, and depots for the same; and if such lands cannot be procured, said company may have the same condemned by filing its petition for that purpose with the clerk of the county court of the county in which it is situated, and obtaining thereon the necessary writs of *ad quod damnum*, and procuring the regular condemnation thereof, as required by law in the condemnation of lands for the use of turnpike roads: *Provided, however,* That no property shall be so taken without the value thereof having been first paid.

§ 4. The said company, when fully organized, shall cause a book to be opened, subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred on said book in the manner to be prescribed in the by-laws of said company; and each member shall share the profits and liabilities of said company to the extent of, and in proportion to, the amount of capital stock he or she owns in said company; and the corporators named in this act, or any three of them, when in their opinion a sufficient amount of stock is subscribed to commence business, shall give notice to each one of the subscribers of the time and place for the meeting of the subscribers to organize the company, and to elect no less than three nor more than five directors; the board of directors may choose one of their number as president, in such manner, and for such period, as they may ordain by their by-laws; and employ such clerk, secretary, treasurer, or agents and servants, as they may deem necessary for conducting the affairs of the company, and may make such compensation as may be

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agreed upon; at all meetings of the board of directors a majority of the whole number shall form a quorum for the transaction of business; no person shall be deemed eligible to the office of director unless he is a stockholder; and the election shall be by ballot, allowing one vote for each share of stock, and a stockholder may vote in person or by proxy; and on all questions submitted to the stockholders for decision, the same rule as to voting the stock shall apply; the board of directors shall hold their office until the next annual election, or until their successors are appointed; the time and place for such election to be ordained by the by-laws of said company; and any one or more of the corporators or members of this company owning coal or other lands, shall have power to sell to the company such lands or other property, and convey the same by deed of conveyance, and such sale and conveyance to be legal; the board of directors shall have power to enforce the payment of stock subscribed by suit, the same as in the collection of other debts, and, upon failing to collect from delinquents, the stock of such delinquents to be forfeited to the company.

Approved February 27, 1865.

CHAPTER 1141.

AN ACT to Incorporate Patterson Institute.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. W. Jones, Daniel Talbott, J. M. Berry, W. R. Gorham, and J. T. Patterson, be, and they are hereby, created a body corporate and politic, to be known and called "The Patterson Institute," and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded, in any court of law or equity; and shall be capable in law of purchasing, acquiring, renting, and holding, to them and their successors, any lands, tenements, goods, and chattels of any kind; and of receiving, taking, and holding, to them and their successors, any lands, tenements, and goods and chattels which may be given, granted, bequeathed, or devised for the use of said Patterson Institute; and they may sell, dispose of, and convey the same, according to the by-laws which may be hereafter established by them: *Provided*, That they shall not, at any time, hold estate of greater value than twenty-five thousand dollars.

§ 2. The object of said Patterson Institute shall be to educate such children and youths as shall be put under the charge of said institute; and the aforesaid persons, and their successors, shall be the trustees thereof, and shall

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have power, from time to time, to establish such by-laws, rules, and ordinances, not inconsistent with the constitution and laws of this State and the constitution and laws of the United States, as they shall deem necessary for the government of said Patterson Institute and the management of its funds and property. A majority of the trustees shall concur in the election of a president, treasurer, and clerk of the board, and of professors and tutors of said institute; and upon the disqualification, death, resignation, or removal from office of any of the trustees, professors, tutors, or officers of said institute, the board of trustees shall fill the vacancy by appointment, until the next regular election; a majority of said trustees shall constitute a quorum for the transaction of business.

§ 3. The trustees hereby appointed shall hold their office for two years, from the first Saturday in April, 1865, and until their successors are duly elected and qualified; an election for trustees shall be held on the first Saturday in April, 1867, by the stockholders of said institute, and every two years thereafter an election shall be held by said stockholders for trustees of said institute; said election shall be held at such time and place as shall be fixed by said trustees in their by-laws, and two of said trustees, appointed by the board of trustees for that purpose, shall preside over and hold said election.

§ 4. The trustees shall have power to confer upon students of said institute any or all the diplomas and degrees conferred by institutions of like character in this State; and the private seal or scroll of the president may stand in lieu of the corporate seal.

§ 5. This act shall take effect from its passage.

Approved February 27, 1865.

CHAPTER 1142.

AN ACT to incorporate the Cumberland Petroleum and Mining Association.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Alexander G. Gower, John G. Eve, M. D. Rowden, A. H. Lewis, and G. A. Smith, and their associates and successors, be, and they are hereby, created a body-corporate and politic, by the name and style of the "Cumberland Petroleum and Mining Association," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company, not inconsistent with the

Corporators' names, and corporate powers.

1865.

constitution and laws of this State or of the United States.

Capital stock.

§ 2. The capital stock of said company shall not exceed three millions of dollars, which may be divided into shares, subscribed and paid for in such manner as said company may, by its by-laws, prescribe.

Who to manage affairs of corporation.

§ 3. That said company shall have power to appoint any one or more of its members or other persons to manage, contract, and direct the business of said company according to the by-laws, rules, and regulations which said company may adopt.

May hold real estate.

§ 4. That said company may acquire and hold such real and personal estate by contract, as they may deem necessary or proper for the carrying on the mining of coal or other minerals or metals, the procuring and manufacture of salt, oil, and lumber, and the transportation thereof to market, together with such quantities of land as may be necessary for the establishment of mills and landings, machinery and depots for the same; and if such land cannot be procured, said company may have the same condemned by filing its petition for that purpose with the clerk of the county court of the county in which it is situated, and obtaining thereon the necessary writs of *ad quod damnum*, and procuring the regular condemnation thereof, as required by law in the condemnation of lands for the use of turnpike roads: *Provided, however*, That no property shall be so taken without the value thereof having been first paid.

Record of subscribers to be kept.

§ 5. That said company, when fully organized, shall cause a book to be opened, and kept subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares or amount of stock owned by each; and the said shares or stock may be transferred on said books in the manner to be prescribed by the by-laws of said company.

§ 6. Nothing in this charter shall be construed into conferring banking powers upon said company.

§ 7. This act to take effect from its passage and remain in force twenty years, unless sooner repealed by the General Assembly; and the right to alter, amend, or repeal this charter is reserved to the General Assembly.

Approved February 27, 1865.

CHAPTER 1143.

1865.

AN ACT to incorporate the Wild Cat, Rockcastle County, Mining and Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That James S. Fish, G. W. Roberts, M. J. Miller, E. Shivel, R. Ward, William McClure, William A. Brooks, Wilson Owens, and R. P. Gresham, and their associates and successors, be, and they are hereby, created a body corporate and politic, with perpetual succession, by the name of "The Wild Cat, Rockcastle County, Mining and Petroleum Company," with all the powers and authority incident to corporations for the purposes hereinafter mentioned.

Corporators' names, and corporate powers.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils and minerals, and to refine and vend the same.

May hold lands.

§ 3. The capital stock of "The Wild Cat, Rockcastle County, Mining and Petroleum Company" shall not exceed five hundred thousand dollars, and shall be divided into shares of not less than five dollars; and may be issued and transferred in such manner, and upon such conditions, as the board of directors of said corporation may direct; and the capital stock of said company may be increased, if deemed necessary, by the board of directors.

Capital stock.

§ 4. The affairs of said company shall be managed by ten directors, one of whom shall be president, all of whom shall be stockholders in said corporation; the first board of directors shall consist of James S. Fish, G. W. Roberts, M. J. Miller, E. Shivel, R. Ward, William McClure, Wm. A. Brooks, Wilson Owens, and R. P. Gresham, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors chosen by the stockholders shall continue in office for one year, or until their successors are elected; if any of the above named directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else; they may adopt such by-laws and rules for the government of the corporation, and management of its affairs and business, as they may deem proper, not inconsistent with the constitution and laws of the United States or of this State; the said corporators, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated; and books may be opened and subscriptions received at such times and places, and upon such notices thereof, as any three of said incorporators may deem right and proper.

Board of directors, term of office, &c.

Vacancies.

May make by-laws.

May open books.

1865. § 5. The said "Wild Cat, Rockcastle County, Mining and Petroleum Company" shall not own, in fee simple or by lease, lands exceeding in value five hundred thousand dollars, the capital stock of the company; whenever forty thousand dollars of the capital stock is subscribed, and twenty thousand dollars thereof paid in, notice shall be given of the time and place of election of a new board of directors, who shall hold office for one year as provided herein; the board of directors of said corporation may fill vacancies occasioned by death, or resignation, or otherwise; and may make such calls of payment of stock as they deem proper, not to exceed twenty per cent. for every thirty days; they may keep their office at such place or places as they deem to the interest of the corporation; they may appoint a secretary, treasurer, superintendent, and other officers, as they may deem necessary, with such compensation for services as they may fix; and by their by-laws regulate and fix the mode of keeping their records as may be deemed necessary.

Not to own property exceeding capital stock.
When election to be held.

Vacancies.

Calls on stock.

Where to keep office.

Officers to be appointed.

§ 6. Nothing in this act shall be construed into conferring banking powers upon this corporation.

§ 7. This act to take effect from its passage; and the right to alter, amend, or repeal this charter is reserved to the General Assembly.

Approved February 27, 1865.

CHAPTER 1144.

AN ACT to incorporate the Central Kentucky Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. R. Weisiger, A. S. Robertson, A. Gallatin Talbott, sr., and Henry Helm, together with their associates, successors, and assigns, be, and they are hereby, created a body-politic and corporate, under the name and style of the "Central Kentucky Petroleum and Mining Company," and as such body-corporate, shall have power—1. To have succession by its corporate name, and make contracts. 2. To sue and be sued. 3. To use a common seal, and alter the same at pleasure. 4. To hold by purchase or lease, dispose of, and convey real and personal estate, by deed or otherwise, to such amount as its business may require. 5. To appoint such subordinate officers and agents as the business may require, prescribe their duties, and fix their compensation. 6. To make by-laws, not inconsistent with the laws of this State or of the United States, that may be necessary for the transfer of its stock, management of its property, and the regulation

of its affairs, and the same, from time to time, to alter, amend, or repeal. 1865.

§ 2. That said corporation be, and they are hereby, authorized to dig, bore, or otherwise sink wells for salt, oil, or petroleum, or other mineral substances, on any lands now owned by them, by purchase or lease, and on any lands they may hereafter acquire by purchase or lease, in any county in this Commonwealth; and to erect and operate fixtures and machinery for reducing the oil to its component elements, such as burning fluid, paraffine, asphaltum, &c., and to erect and operate furnaces and mills on any lands so owned or hereafter acquired by them in this Commonwealth, for the manufacture of pig and bar iron and salt; and shall have power to own or lease such warehouses, and at such places as the business of the company may require; and shall create and use such mode of transportation as they may deem proper.

§ 3. That the capital stock in said company shall be one million of dollars, in shares of one hundred dollars each, but may be reduced by a majority of the stockholders; and by a like vote the amount of the separate shares may be reduced.

§ 4. That the stockholders shall annually elect five directors, who shall manage all the affairs of the corporation, and continue in office for one year, and until their successors are selected and accept their appointment, one of whom shall be selected by the directors as president; and in all elections each share of stock shall entitle the holder to one vote; all vacancies to be filled by the board of directors.

§ 5. The shares of stock in said company shall be deemed personal estate, and transferable on the book of the company, agreeable to the rules prescribed by its by-laws. The stock shall be paid in such installments, and at such times, as the board of directors may require; and for default of payment, the by-laws may authorize a forfeiture of stock.

§ 6. This act shall be in force from its passage; and the Legislature reserves the right to alter, amend, or repeal this charter at pleasure.

Approved February 27, 1865.

CHAPTER 1145.

AN ACT to incorporate the Ohio River Transportation Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Thomas E. Wilson, D. Butterfield, Silvanus J. Macy, Edward Fulton, and Lyttleton Cooke, and their Corporators' names, and corporate powers.

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associates and successors, are hereby created a body-politic and corporate, under the name and style of the Ohio River Transportation Company, and by that name shall have perpetual succession, may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; may have a common seal, and alter and renew the same at pleasure; and may make all necessary by-laws and regulations, for the government of said corporation and the conduct of its business, and have all other powers usual and incident to corporations.

Capital stock.

§ 2. The capital stock of said corporation shall be seven hundred thousand dollars, and may be increased, from time to time, as the board of directors of said corporation may determine, to the sum of three millions of dollars, divided into shares of one thousand dollars each, which may be subscribed and paid for in such manner, and on such terms, as may be prescribed by said corporation in their by-laws; and said stock shall be transferred as said corporation by its by-laws may direct, and shall be held to be personal estate, and pass as such.

Commissioners to open books.

§ 3. The corporators named in the first section of this act, or any three of them, are hereby appointed commissioners to receive subscriptions for stock in said company, and they may open books therefor in the city of Louisville, and at such other place or places in or out of this State, and keep the same open for such length of time as they may deem proper; and when the sum of fifty thousand dollars has been subscribed, said commissioners, or any three of them, may, by giving three days' notice in a newspaper in the city of Louisville, call a meeting of the stockholders, at such time and place as they may deem proper, to elect the first board of directors, who shall serve until their successors shall be regularly elected and installed. The time of the election of directors of said corporation and their terms of office shall be fixed by the said first board of directors, which may be altered or changed as the board of directors, for the time being, may direct.

When election to be held.

Business of corporation.

§ 4. Said corporation is hereby authorized and empowered to transport passengers, live stock, produce, and freight of all kinds, to, from, and across any place or places on the Ohio and Mississippi rivers and their adjuncts and tributaries; and for the purpose of enabling said corporation to carry on its business, said corporation is hereby authorized and empowered to construct, purchase, charter, and hold, and sell and transfer, and otherwise dispose of, steamboats, wharf-boats, and all other personal property, and to purchase, lease, and hold such landings, wharves, and franchise, as may be deemed desirable by said corporation to carry on its business successfully.

1865.

Who to manage affairs of corporation.
How stock voted.

President and other officers to be appointed.

May hold meetings at different places.

Books may be continued open

May borrow money.

May declare dividends.

§ 5. The management and control of the affairs, business, and property of said corporation shall be vested in and controlled by a board of seven directors to be chosen by the stockholders, each share of stock entitling the owner thereof to one vote; but no person shall be elected or serve as a director who does not own in his own right at least three thousand dollars of the stock of said corporation. The board of directors shall elect a president from their own number; and the president shall, by and with the advice and consent of a majority of the other directors, appoint all other officers and agents requisite and necessary to carry on the business and affairs of said corporation. The board of directors of said corporation may hold their meetings and transact their business at such places in or out of this State as they may, by by-law or resolution, prescribe; and their meetings and business so held and transacted shall be valid and binding as though the same were held and transacted in this State, not contrary to the laws of this State: *Provided, however,* That said corporation shall at all times keep an office in the city of Louisville, where the president and secretary shall reside, and the books of said corporation, or duplicates thereof, may be open for inspection by the stockholders.

§ 6. The board of directors of said corporation may cause the books of subscription for its stock to be continued open until the whole of the stock is subscribed, or may hold, sell, or otherwise dispose of the same as they may think proper. They may prescribe how the stock shall be sold and transferred. They are hereby authorized and empowered to borrow money and issue bonds secured by mortgage or deed of trust upon the property, rights, and privileges of said corporation for its repayment, or they may issue and sell bonds upon such terms as they may think proper. They may declare dividends from time to time, as they may deem advisable, and issue certificates of stocks in such manner and form, and under such regulations and restrictions, as they may by their by-laws or resolutions prescribe; and they may do all other acts and things whatsoever, requisite and necessary to an efficient carrying on of the affairs and business of said corporation: *Provided, however,* That it is expressly understood that said company shall exercise no banking privileges.

§ 7. This act shall take effect and be in force from its passage.

Approved February 27, 1865.

1865.

CHAPTER 1146.

AN ACT to incorporate the Rush Creek Mining and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Robertson M. Biggs, William Biggs, sr., Andrew Biggs, F. K. O'Farrell, and Ed. F. Dalin, their associates and successors, are hereby incorporated and made a body-politic, by the name and style of "The Rush Creek Mining and Manufacturing Company;" and by that name may sue and be sued, plead and be impleaded, in all courts and places; contract and be contracted with, in all matters pertaining to the business and objects of the corporation; and do any and all acts which a corporation may or can do in fulfillment of its charter and the objects and ends of its organization; may have a common seal, which it may change and alter at pleasure.

Objects of corporation.

§ 2. The objects and purposes of the corporation shall be the mining for coal, iron ore, petroleum, carbon or rock oil, and any and all other minerals or mineral substances, the direct products of the earth, or any or all of them, and the manufacture and refining of any or all of them, and transportation to market of the same; the location shall be in the counties of Boyd, Carter, Lawrence, or Greenup.

Capital stock.

§ 3. The capital stock shall be one hundred thousand dollars (to be increased by a vote of a majority in interest of said company to any sum not exceeding five millions of dollars), to be divided into shares of one hundred dollars each, which shall be personal property, and assignable on the books of the company in such a mode as may be prescribed by its by-laws; lands and other real estate, mines, mining rights, and interests therein, may be subscribed as a part or the whole of said stock, upon such terms as may be agreed upon by the subscribers and the company, and in pursuance of the laws for the sale and conveyance of real estate.

Board of directors, term of office, &c.

§ 4. The stock, property, and general prudential affairs of said company shall be managed by a board of not less than three nor more than seven directors, to be chosen by the stockholders for one year, a majority in interest being necessary to a choice, and each share shall count one vote: *Provided*, The directors first chosen shall hold their office for the remainder of the current year, and until their successors are elected: *And provided*, A president of the board shall be elected for the same time, by the directors, from among themselves or the stockholders; the president and directors shall be stockholders of the company, and they may appoint such other officers and employes as they may deem proper; a majority of the directors shall constitute a quorum to do business.

Officers to be appointed.

1865.

Record of stock-holders to be kept.

§ 5. The company shall keep a book, which shall be always open to the inspection of each shareholder; in it shall be kept the names and amount of stock held and owned by each shareholder, and the amount paid in; also a book in which shall be kept a full and faithful account of the proceedings, rules, and by-laws and acts of said company, except its accounts and contracts with individuals.

§ 6. The president and directors may make such by-laws, rules, and regulations as they may deem proper, prescribing the times, places, and manner of holding elections, the transferring of stock, the enforcement of payment thereof, the forfeiture for non-payment, the time and manner of payment, the duties and authority of officers, agents, and employees, mode of filling vacancies, the character, kind, and amount of business, and any and all such as may be necessary for the proper, prudential, and effective management of the property and business of said company, and to effect the objects and intent of this act: *Provided*, The same are not repugnant to the constitution and laws of the State or of the United States.

May make by-laws.

§ 7. Said company shall have power to take, acquire, and hold such lands, mines, and mining rights as they may deem necessary for the uses of said company, not exceeding ten thousand acres; and also to contract for the right of way for any and all necessary roads, railroads, &c.; and to build the said roads and railroads, and unite the same with any other, on such terms as may be agreed on, or to carry the same to any navigable stream; and to have such yards, boats, wharfs, floats, &c., as may be necessary, and all personal property required to conduct the business of the company, and to dispose of any or all of the same for the use of the company or its stockholders.

May hold lands

§ 8. This act shall take effect from its passage.

Approved February 27, 1865.

CHAPTER 1147.

AN ACT to incorporate the Bullitt's Lick Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That B. R. Young and Richard H. Field, together with their associates, successors, and assigns, be, and they are hereby, created a body-politic and corporate, under the name and style of the "Bullitt's Lick Petroleum Company," and as such body-corporate shall have power—1. To have succession by its corporate name and make contracts. 2. To use a common seal, and to alter the same at pleasure. 3. To sue and be sued. 4. To hold by pur-

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chase or lease, dispose of, and convey real and personal estate to such amount as its business may require. 5. To appoint such subordinate officers and agents as the business may require, prescribe their duties and fix their compensation. 6. To make by-laws, not inconsistent with the laws of this State or of the United States, that may be necessary for the transfer of its stock, management of its property, and the regulation of its affairs, and the same to alter, amend, or repeal at pleasure.

§ 2. That said corporation be, and they are hereby, authorized to bore wells for petroleum on any lands they may acquire title to, by lease or otherwise, in the county of Bullitt or in the State of Kentucky, and to erect and operate fixtures and machinery for refining oils or reducing them to their component elements; and shall have power to own or lease such warehouses and at such places as the business of the company may require; and they are empowered to create and use such mode of transportation as they may deem proper.

§ 3. The capital stock of said company shall be one million of dollars, with power to increase the same not exceeding one hundred per cent. by a vote of a majority of the stockholders. The capital stock shall be divided into shares of not more than one hundred dollars nor less than five dollars; the value to be determined by the board of directors, but may be increased or diminished as said board may direct.

§ 4. That the stockholders shall annually elect five directors, who shall manage all the affairs of the corporation, and continue in office for one year, and until their successors accept their appointment, one of whom shall be selected by the directors as president; and in all elections each share of stock shall entitle the holder to one vote; all vacancies are to be filled by the board of directors.

§ 5. The shares of stock in said company shall be deemed personal estate, and transferable on the books of the company in accordance with rules prescribed by its by-laws. The stock shall be paid in such installments and at such times as the board of directors may require, and for default of payment the by-laws may authorize a forfeiture of the stock.

§ 6. This act shall be in force from its passage..

Approved February 27, 1865.

CHAPTER 1148.

1865.

AN ACT to incorporate the "Oil Basin Mining and Manufacturing Company."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That George C. Rogers, William L. Vance, H. H. Schyles, Eugene Underwood, D. W. Wright, Kelin Hagar, and their associates, successors, and assigns, are hereby created a body-politic and corporate, with perpetual succession, under the name and style of "The Oil Basin Mining and Manufacturing Company," and by that name may contract and be contracted with, sue and be sued, plead and be impleaded, in their corporate name, in all courts in this Commonwealth; may have and use a common seal, and alter and change the same at pleasure; may purchase and hold real estate, and may lease, sell, transfer, and assign the same to any person or persons, or corporations; may have, hold, and transfer any personal property necessary or desirable for the transaction of the business of said corporation; may make such rules and regulations for the government and management of the business of said corporation, from time to time, as may be by them deemed right and proper.

Corporators' names, and corporate powers.

§ 2. The object of said company is to develop the petroleum, rock, and carbon oils, iron, coal, copperas, zinc, and other minerals, lumber, and vegetable resources in the State of Kentucky; and to manufacture, refine, and transport the same to market, in crude or refined state; and to this end said company may open oil wells, and mines for all manner of minerals, cut and transport to market lumber of all kinds; shall have power to erect all needful work-shops, mills, refineries, furnaces, depots, and other buildings, which may be deemed proper for the prosecution of their business; may purchase, construct, and own wharves and landings upon the navigable streams in the Commonwealth, and may improve the navigation of the streams in the State by the erection of dams and locks, and the removal of all manner of obstructions therefrom, subject to the supervision of the Board of Internal Improvement of the State; and when such improvements are made, may charge such rates of toll as are charged on the Kentucky river for similar improvements; may construct boat-yards, build and own all kinds of boats; may construct turnpikes and railroads to and from any of the works or depots of said company, and all points within the State where said company may wish to deliver their products in the raw or manufactured state; and when said turnpikes and roads are completed, may charge the same rates of toll, per capita and per ton, as may be charged on the Danville and Hustonville turnpike road, and on the Louisville and Nashville railroad, for similar and like improvements.

Objects of corporation.

1865.

chase or lease, dispose of, and convey real and personal estate to such amount as its business may require. It may appoint such subordinate officers and agents as its business may require, prescribe their duties and fix their compensation. 6. To make by-laws, not inconsistent with the laws of this State or of the United States, necessary for the transfer of its stock, management of its property, and the regulation of its affairs, and to alter, amend, or repeal at pleasure.

§ 2. That said corporation be, and be authorized to bore wells for petroleum in any part of Bullitt or in the State of Kentucky, and to operate fixtures and machinery for the same, and to sell them to their component elements, and to own or lease such warehouses, and the business of the company may be carried on in any place, and it is empowered to create and use such names as they may deem proper.

§ 3. The capital stock of said corporation shall be one million of dollars, with power to increase the same to not exceeding one hundred per cent. of the stockholders. The stock shall be divided into shares of not more than five dollars; the number of shares shall be determined by the board of directors, but may be increased or decreased by the board of directors.

§ 4. That the stockholders, who shall be elected at the first meeting, and their successors, shall be selected by the board of directors, each share shall have one vote; all vacancies shall be filled by the board of directors.

§ 5. The board of directors may, under the authority of the company, make by-laws for the management of the company, and may invest the funds of the company in such manner as may be deemed safe and proper, but not to exercise any banking power what-

§ 6. The liability of shareholders shall be to the extent of the stock held by each, and each shall have as many votes in all elections as he holds shares, which votes may be cast by proxy.

§ 8. The board of directors may, from time to time, declare dividends and determine the manner of payment; and all dividends, except those arising from the sale of property herein authorized, shall be equally apportioned

LAWS OF KENTUCKY.

CHAPTER 114B.

Approved by the General Assembly of the Commonwealth of Kentucky, at its session at Frankfort, Kentucky, on the 11th day of May, 1865.

George C. Rogers, William L. Vance, H. H. Underwood, D. W. Wright, Kolin Hayes, are hereby authorized to execute the same.

holders according to the number of shares
them.

1865.

Rights of cor-
poration.

pany shall have all the rights, powers,
may be conferred by the charter of
for similar purposes, passed at the
General Assembly and not incorpo-
ed the right to alter, amend, or
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ree from its passage.

Approved February 27, 1865.

LAWS OF KENTUCKY.
CHAPTER 1148.

the "Oil Basin Mining and Manufacturing Company,"
General Assembly of the Commonwealth of
Rogers, William L. Vance, H. H. Hager, names and
D. W. Wright, Kolin Hager, are hereby en-
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Corporators'
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1865.

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the "Louisville Rifle Club;"
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his State; and may have and use a
alter or renew the same at pleasure;
corporate name and style, shall be capable in
attracting and being contracted with, and ac-
by purchase or otherwise, and of holding and
veying real and personal estate, either in fee or for a
term of years: *Provided*, That they shall not at any one
time hold property exceeding thirty thousand (\$30,000)
dollars in value.

§ 2. Said corporation shall at all times have power and
authority to ordain, make, and establish such constitution,
by-laws, rules, and regulations as they shall judge proper
for the creation of their officers, the government and regu-
lation of the members, the well-being of the club, and all
matters pertaining to its object and interest, and to alter and
amend the same at pleasure; and to prescribe the times,
place, and manner of practicing in shooting, in order to
become expert, accurate, and proficient: *Provided*, That
such constitution, by-laws, rules, and regulations be not in-
consistent with the constitution and laws of this State or
of the United States: *Provided*, That none but loyal citi-
zens shall practice the art of shooting in said gallery.

May make con-
stitution, by-
laws, &c.

1865.

Capital stock.

§ 3. The capital stock of said company shall not exceed two millions of dollars, and shall be divided into shares of not less than ten dollars each; said stock to be subscribed, paid for, sold, and transferred in such manner as said company may determine by its by-laws and regulations adopted from time to time; the form of certificate and transfer to be fixed by the company, and may be entered on the books of the company, which books shall at all times be open to the inspection of the shareholders. Said stock shall be held and deemed personal property.

When meeting to be called for election of directors, &c.

Term of office.

Annual elections.

Money to be paid to treasurer.

Principal and branch offices, where kept.

By-laws, &c.

May deposit funds in bank.

Liability of stockholders.

May declare dividends.

§ 4. Said company may, as soon after its organization as is deemed proper, have a meeting of the shareholders at Louisville or Bowling Green, Kentucky, for the purpose of electing a president, and not less than three directors, a treasurer and secretary, and shall give twenty days' notice of the time at which said election shall be held by publication in some daily newspaper published in the city of Louisville. The officers thus elected shall hold their offices for one year from the date thereof, and until their successors are duly elected. The time of annual elections to be determined by the by-laws or the president and directors, and to be published as aforesaid. At all elections any stock or shareholder may vote by proxy. All money paid to said company shall be paid to the treasurer thereof, who shall execute bond with approved security for the faithful discharge of his duties; and for any breach thereof may be sued with sureties by the party aggrieved.

§ 5. The principal office of said company shall be kept at such place as the board of directors shall fix; and branch offices may be established within or out of the State of Kentucky, at the discretion of said board. The affairs of said company shall be regulated by the president and directors, who shall have power to fix any and all necessary by-laws and regulations for the government thereof, not inconsistent with the constitution of the United States or of this State and the laws thereof.

§ 6. The treasurer of said company may, under the supervision of the board, deposit the funds of said company in such banks and places as may be deemed safe and secure, or may invest the same in real or personal property or securities, but not to exercise any banking power whatever.

§ 7. The liability of shareholders shall be to the extent of stock held by each, and each shall have as many votes in all elections as he holds shares, which votes may be cast by proxy.

§ 8. The board of directors may, from time to time, declare dividends and determine the manner of payment; and all dividends, except those arising from the sale of stocks herein authorized, shall be equally apportioned

among the shareholders according to the number of shares of stock held by them.

1865.

§ 9. The said company shall have all the rights, powers, and privileges which may be conferred by the charter of any similar corporation for similar purposes, passed at the present session of the General Assembly and not incorporated specially herein; and the right to alter, amend, or repeal this charter is reserved to the General Assembly.

Rights of corporation.

§ 10. This act shall be in force from its passage.

Approved February 27, 1865.

CHAPTER 1149.

AN ACT to incorporate the Louisville Rifle Club.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That E. Michot, Robert J. Elliott, B. Auer, R. Snyder, J. J. Besancon, F. Roberts, A. Duteil, J. R. Grundy, W. D. Smith, J. J. Hirschbuhl, R. T. Durrett, J. Arnold, J. J. Gilmore, N. B. Gantt, and Jno. M. Vaughan, of Louisville, Kentucky, and such other persons as now are, and, from time to time, shall become members of the club, are hereby incorporated, and shall be body corporate and politic, by the name and style of the "Louisville Rifle Club;" and under that name shall be capable of suing and being sued, pleading and being impleaded, in all courts, both of law and equity, in this State; and may have and use a common seal, and alter or renew the same at pleasure; and, by their corporate name and style, shall be capable in law of contracting and being contracted with, and acquiring, by purchase or otherwise, and of holding and conveying real and personal estate, either in fee or for a term of years: *Provided*, That they shall not at any one time hold property exceeding thirty thousand (\$30,000) dollars in value.

Corporators' names, and corporate powers.

§ 2. Said corporation shall at all times have power and authority to ordain, make, and establish such constitution, by-laws, rules, and regulations as they shall judge proper for the creation of their officers, the government and regulation of the members, the well-being of the club, and all matters pertaining to its object and interest, and to alter and amend the same at pleasure; and to prescribe the times, place, and manner of practicing in shooting, in order to become expert, accurate, and proficient: *Provided*, That such constitution, by-laws, rules, and regulations be not inconsistent with the constitution and laws of this State or of the United States: *Provided*, That none but loyal citizens shall practice the art of shooting in said gallery.

May make constitution, by-laws, &c.

1865.

Capital stock.

§ 3. The capital stock of said company shall not exceed two millions of dollars, and shall be divided into shares of not less than ten dollars each; said stock to be subscribed, paid for, sold, and transferred in such manner as said company may determine by its by-laws and regulations adopted from time to time; the form of certificate and transfer to be fixed by the company, and may be entered on the books of the company, which books shall at all times be open to the inspection of the shareholders. Said stock shall be held and deemed personal property.

When meeting to be called for election of directors, &c.

Term of office.

Annual elections.

Money to be paid to treasurer.

Principal and branch offices, where kept.

By-laws, &c.

May deposit funds in bank.

Liability of stockholders.

May declare dividends.

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§ 5. The principal office of said company shall be kept at such place as the board of directors shall fix; and branch offices may be established within or out of the State of Kentucky, at the discretion of said board. The affairs of said company shall be regulated by the president and directors, who shall have power to fix any and all necessary by-laws and regulations for the government thereof, not inconsistent with the constitution of the United States or of this State and the laws thereof.

§ 6. The treasurer of said company may, under the supervision of the board, deposit the funds of said company in such banks and places as may be deemed safe and secure, or may invest the same in real or personal property or securities, but not to exercise any banking power whatever.

§ 7. The liability of shareholders shall be to the extent of stock held by each, and each shall have as many votes in all elections as he holds shares, which votes may be cast by proxy.

§ 8. The board of directors may, from time to time, declare dividends and determine the manner of payment; and all dividends, except those arising from the sale of stocks herein authorized, shall be equally apportioned

among the shareholders according to the number of shares of stock held by them.

§ 9. The said company shall have all the rights, powers, and privileges which may be conferred by the charter of any similar corporation for similar purposes, passed at the present session of the General Assembly and not incorporated specially herein; and the right to alter, amend, or repeal this charter is reserved to the General Assembly.

1865.
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Corporators' names, and corporate powers.

§ 2. Said corporation shall at all times have power and authority to ordain, make, and establish such constitution, by-laws, rules, and regulations as they shall judge proper for the creation of their officers, the government and regulation of the members, the well-being of the club, and all matters pertaining to its object and interest, and to alter and amend the same at pleasure; and to prescribe the times, place, and manner of practicing in shooting, in order to become expert, accurate, and proficient: *Provided*, That such constitution, by-laws, rules, and regulations be not inconsistent with the constitution and laws of this State or of the United States: *Provided*, That none but loyal citizens shall practice the art of shooting in said gallery.

May make constitution, by-laws, &c.

1865.

Capital stock.

§ 3. The capital stock of said company shall not exceed two millions of dollars, and shall be divided into shares of not less than ten dollars each; said stock to be subscribed, paid for, sold, and transferred in such manner as said company may determine by its by-laws and regulations adopted from time to time; the form of certificate and transfer to be fixed by the company, and may be entered on the books of the company, which books shall at all times be open to the inspection of the shareholders. Said stock shall be held and deemed personal property.

When meeting to be called for election of directors, &c.

Term of office.

Annual elections.

Money to be paid to treasurer.

Principal and branch offices, where kept.

By-laws, &c.

May deposit funds in bank.

Liability of stockholders.

May declare dividends.

§ 4. Said company may, as soon after its organization as is deemed proper, have a meeting of the shareholders at Louisville or Bowling Green, Kentucky, for the purpose of electing a president, and not less than three directors, a treasurer and secretary, and shall give twenty days' notice of the time at which said election shall be held by publication in some daily newspaper published in the city of Louisville. The officers thus elected shall hold their offices for one year from the date thereof, and until their successors are duly elected. The time of annual elections to be determined by the by-laws or the president and directors, and to be published as aforesaid. At all elections any stock or shareholder may vote by proxy. All money paid to said company shall be paid to the treasurer thereof, who shall execute bond with approved security for the faithful discharge of his duties; and for any breach thereof may be sued with sureties by the party aggrieved.

§ 5. The principal office of said company shall be kept at such place as the board of directors shall fix; and branch offices may be established within or out of the State of Kentucky, at the discretion of said board. The affairs of said company shall be regulated by the president and directors, who shall have power to fix any and all necessary by-laws and regulations for the government thereof, not inconsistent with the constitution of the United States or of this State and the laws thereof.

§ 6. The treasurer of said company may, under the supervision of the board, deposit the funds of said company in such banks and places as may be deemed safe and secure, or may invest the same in real or personal property or securities, but not to exercise any banking power whatever.

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§ 8. The board of directors may, from time to time, declare dividends and determine the manner of payment; and all dividends, except those arising from the sale of stocks herein authorized, shall be equally apportioned

among the shareholders according to the number of shares of stock held by them.

1865.

Rights of corporation.

§ 9. The said company shall have all the rights, powers, and privileges which may be conferred by the charter of any similar corporation for similar purposes, passed at the present session of the General Assembly and not incorporated specially herein; and the right to alter, amend, or repeal this charter is reserved to the General Assembly.

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Corporators' names, and corporate powers.

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May make constitution, by-laws, &c.

§ 2. Said corporation shall at all times have power and authority to ordain, make, and establish such constitution, by-laws, rules, and regulations as they shall judge proper for the creation of their officers, the government and regulation of the members, the well-being of the club, and all matters pertaining to its object and interest, and to alter and amend the same at pleasure; and to prescribe the times, place, and manner of practicing in shooting, in order to become expert, accurate, and proficient: *Provided*, That such constitution, by-laws, rules, and regulations be not inconsistent with the constitution and laws of this State or of the United States: *Provided*, That none but loyal citizens shall practice the art of shooting in said gallery.

1865.

Capital stock.

§ 3. The capital stock of said company shall not exceed two millions of dollars, and shall be divided into shares of not less than ten dollars each; said stock to be subscribed, paid for, sold, and transferred in such manner as said company may determine by its by-laws and regulations adopted from time to time; the form of certificate and transfer to be fixed by the company, and may be entered on the books of the company, which books shall at all times be open to the inspection of the shareholders. Said stock shall be held and deemed personal property.

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Term of office.

Annual elections.

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Principal and branch offices, where kept.

By-laws, &c.

May deposit funds in bank.

Liability of stockholders.

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§ 9. The said company shall have all the rights, powers, and privileges which may be conferred by the charter of any similar corporation for similar purposes, passed at the present session of the General Assembly and not incorporated specially herein; and the right to alter, amend, or repeal this charter is reserved to the General Assembly.

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1865.

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Liability of stockholders.

May declare dividends.

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1865.

§ 9. The said company shall have all the rights, powers, and privileges which may be conferred by the charter of any similar corporation for similar purposes, passed at the present session of the General Assembly and not incorporated specially herein; and the right to alter, amend, or repeal this charter is reserved to the General Assembly.

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Corporators' names, and corporate powers.

§ 2. Said corporation shall at all times have power and authority to ordain, make, and establish such constitution, by-laws, rules, and regulations as they shall judge proper for the creation of their officers, the government and regulation of the members, the well-being of the club, and all matters pertaining to its object and interest, and to alter and amend the same at pleasure; and to prescribe the times, place, and manner of practicing in shooting, in order to become expert, accurate, and proficient: *Provided*, That such constitution, by-laws, rules, and regulations be not inconsistent with the constitution and laws of this State or of the United States: *Provided*, That none but loyal citizens shall practice the art of shooting in said gallery.

May make constitution, by-laws, &c.

1865.

Regulation of
stock, &c.

§ 3. The constitution or by-laws of said club may provide for the subscription of stock in said club, the division of the same into shares, the manner of transfer of stock, and restrictions and limitations therein, and the method of collection of the same.

Steward or
landlord may
be appointed.

§ 4. Said club may select one of its members to act as steward or landlord in furnishing victuals, only, however, on the premises and in the buildings of the club, or which are leased, or, for the time, occupied by the club, and only on the days and during the hours appointed by the executive committee of the club; nor shall any license be required to authorize the sale of such victuals.

Suits.

§ 5. In all suits at law or in equity brought against the club, and in any suit brought by the club against any of its members, or against any other person or persons, any member of the club shall be admitted as a competent witness.

§ 6. This act shall take effect from and after its passage.

§ 7. The Legislature reserves the right to alter, amend, or vacate this charter at pleasure.

Approved February 27, 1865.

CHAPTER 1150.

AN ACT for the benefit of the Kentucky Institution of the Education of the Blind.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That to enable the managers of the Kentucky Institution of the Education of the Blind to support said institution and pay its existing debts, the annual appropriation of six thousand dollars is hereby made, to be paid out of the Treasury out of any money not otherwise appropriated.

§ 2. That this act shall take effect from its passage.

Approved February 27, 1865.

CHAPTER 1151.

AN ACT to incorporate the United States Mail Line Steamboat Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporate
name and style

§ 1. That there be created, in the city of Louisville, a body corporate and politic, by the name of the "United States Mail Line Company," under and by which name it may make contracts, buy, sell, and hold property, sue and be sued, and transact all business necessary to carry out the objects of this charter.

§ 2. The capital stock of said company shall consist of one million of dollars, in shares of one thousand dollars each; and if the company desire it, they may increase the stock to two millions of dollars, a majority of the stockholders first passing a resolution to this effect.

1865.
Capital stock.

§ 3. Z. M. Shirley, D. S. Benedict, C. G. Pearce, Frank Carter, Jonathan M. Barker, Patrick Rogers, Moses G. Anders, Thomas Sherlock, and William C. Hite, are hereby appointed commissioners to open books for the subscription of stock; and when stock to the amount of five hundred thousand dollars has been subscribed, the stockholders may elect directors, five days' notice of the election being first given in two of the newspapers published in Louisville, and be entitled to all the corporate privileges of this act; the books may be kept open until all the stock is subscribed, or close them whenever they think best.

Commissioners
to open books.

When directors
to be elected.

§ 4. The management and control of the property, fiscal affairs, business transactions, making contracts, and the control of the prudential concerns of the company, shall be vested in not more than nine nor less than five directors, the number to be determined by resolution of the stockholders, by whom also they shall be elected; each share shall entitle its holders to one vote. The directors shall be elected annually in the city of Louisville.

Who to man-
age affairs of
corporation.

§ 5. The directors shall elect a president from their number annually, who shall have all the powers vested in that officer by the laws incidental to corporations of this class; they may appoint all the officers necessary to carry on the business of the company; they shall have power to make any and all by-laws for the disposal and transfer of stock, for the management and control of the property, affairs, and business of the company, not inconsistent with or in contravention of the laws of Kentucky or of the United States.

President and
other officers to
be appointed.

May make by-
laws.

§ 6. That said company are hereby authorized to transport passengers, and every article of commerce, trade, manufacture, agriculture, and freight of every kind, between Louisville and Cincinnati, and anywhere else they may desire to run their line of boats; and also to purchase, build, and dispose of, steamboats, barges, wharf-boats, or any kind of water craft; lease or buy landings and wharves, and whatever may be necessary to carry on the business of the company.

May transport
passengers, &c.

May build
boats, &c.

§ 7. This act to take effect from its passage.

Approved February 27, 1865.

1865.

CHAPTER 1152.

AN ACT to incorporate the West Covington Christian and Literary Society.

WHEREAS, It being desired by citizens of West Covington, Kenton county, Kentucky, to form an association (not sectarian or political in character) for the dissemination of Christianity, morality, science, literature, and general intelligence; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names.

§ 1. That Henry Hathaway, George Stacey, and John W. Clark, and their associates and successors, be, and are hereby, incorporated, by the name of "The West Covington Christian and Literary Association."

May hold real estate, &c.

§ 2. Such association shall have the right to acquire, by gift, devise, or purchase, real estate or other property sufficient to carry out such objects, with the right to occupy, sell, lease, rent, and in other ways derive income from the same, for the use and in aid of the objects of the association; they shall have all the powers of a body corporate, with power to organize a school and library, to employ lecturers, pastors, and teachers, and to use any property or income they may acquire, in such manner and degree as in the judgment of the trustees will best promote the objects of the association.

Powers of corporation.

Directors to manage, & how elected.

§ 3. The association shall be managed by five trustees, to be annually elected on the first Monday of March, in each and every year, by the stockholders (each share counting one vote), notice of such meeting and election to be given by the secretary by publication in the nearest daily newspaper at least one week previous; such trustees to elect a president from their number, also a secretary and treasurer, requiring bonds at their discretion of such officers for the proper discharge of such duties; they shall keep a written record of all official proceedings, reporting the same to the stockholders at their annual March meeting for election of trustees, such trustees to serve until their successors are elected.

President and other officers to be appointed.

Record to be kept.

All contracts to be made by directors.

§ 4. No money shall be disbursed, contracts made, property bought, stock or certificates of membership issued, except by order of the board, three of whom shall form a quorum; and all certificates of stock, of membership, and orders upon the treasurer, shall be signed by the president and secretary of the board, and under the seal of the association.

Capital stock.

§ 5. The capital stock shall be not exceeding ten thousand dollars, divided into shares of ten dollars each, each share entitling the owner and family to the use of the library, to attend the schools, lectures, Christian services, and all meetings of the association, under and complying with such rules as the trustees may adopt. The property

and funds of the association shall be exempt from taxation in the same manner as that of other Christian and literary associations in this Commonwealth.

§ 6. Such association shall not incur monetary obligations, at any time, exceeding in amount the value of the donations received, and the stock subscribed and actually paid in ; such stockholders are not to be individually liable for its debts, except to the amount of their unpaid subscriptions, and the trustees only to be liable for the debts by them created over the above limit, which the association shall be unable to pay. The trustees may make dividends to stockholders, not exceeding ten per cent. per annum, whenever surplus money may be on hand above and beyond the expenses and liabilities of the association ; and it shall be the duty of the trustees, at any time after the expiration of ten years from date of incorporation, upon the written request of the holders of two thirds of the stock, to sell all property and interests of the association, and, after paying all legal debts and liabilities of the association, divide the surplus, pro rata, among the holders of stock, returning their receipts and all records of the association to the clerk of the Kenton county court, and such association shall then cease.

§ 7. Henry Hathaway, Geo. Stacey, and John W. Clark, are hereby appointed commissioners to open books and receive subscriptions to its stock, and donations to the association ; and whenever two thousand dollars or more shall have been subscribed, they shall call a meeting of such subscribers to elect trustees, to serve until the next annual election, to whom they shall surrender all books, papers, and funds, and their duties as such commissioners shall terminate.

§ 8. This act shall take effect from its passage.

Approved February 27, 1865.

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Property exempt from taxation. Not to incur liabilities exceeding property.

May declare dividends.

When to wind up affairs.

Commissioners to open books.

When trustees to be elected.

CHAPTER 1153.

AN ACT to incorporate the Widows' and Orphans' Home.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That John H. Heywood, A. G. Munn, M. M. Green, Abner Cooper, George Davis, A. P. Cochran, J. L. Danforth and J. Merker, of Louisville, be, and they are hereby, created a body-corporate, by the name of the "Widows' and Orphans' Home," and by that name shall have perpetual succession, with power to sue and be sued, implead and be impleaded, to make contracts, and to receive, acquire, and hold, by gift, grant, purchase, and devise, real

1865. and personal estate and money; and to sell, transfer, use, and dispose of the same for the benefit of said corporation.

§ 2. That it shall be lawful for the Widows' and Orphans' Home to establish and adopt for their better regulation a constitution and such by-laws as they may deem expedient, not inconsistent with the laws of this Commonwealth, prescribing the organization of the corporation, the appointment of its officers, their duties and responsibilities, the terms and conditions of membership, and all other matters connected with its fiscal and moral government; and the constitution and by-laws so adopted shall be as binding on said corporation and all persons contracting with it, as if enacted by the General Assembly of the Commonwealth of Kentucky.

Approved February 27, 1865.

CHAPTER 1154.

AN ACT to incorporate the Baptist Female College, at Bardstown, Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established and incorporated within the limits of Bardstown, Nelson county, Kentucky, an institution under the name of "The Baptist Female College, at Bardstown;" and that Thomas J. Fisher, G. W. Robertson, P. B. Samuels, A. F. Baker, Abner King, G. W. Forman, E. F. Wells, John Edleman, John Troutman, Mathew Jupin, L. McKay, jr., William Johnson, Jas. Muir, and C. C. Wells, and their successors in office, are hereby constituted a body-politic and corporate, by the name and style of "The Baptist Female College at Bardstown," by which name they shall have perpetual succession, with a common seal, and power to alter and change the same at pleasure.

§ 2. That said trustees, and their successors in office, shall have power to acquire and hold, by descent, devise, donation, or purchase, real, personal, and mixed estate, not exceeding twenty-five thousand dollars, for the purposes of said institution; to contract and be contracted with, plead and be impleaded, in all courts of competent jurisdiction.

§ 3. The capital stock of said institution shall be divided into shares of one hundred dollars each, to be paid as may be directed by the by-laws of said institution.

§ 4. The trustees named in the first section of this act, or such of them as may act, shall constitute a board, and may proceed to elect a president of said board, and such other officers as may be deemed proper; but it shall require at least five of said trustees to constitute a board.

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§ 5. The board of trustees shall have power to make all necessary rules and regulations for the acquisition or sale of property and estate, not inconsistent with the constitution and laws of the United States and of the State of Kentucky.

§ 6. When a sufficient amount of stock is subscribed to purchase, in whole or in part, real estate for said college, it shall be the duty of the president to give notice to the stockholders of a time and place to meet to elect seven trustees for said college; no person, unless a stockholder, shall be eligible to the office of trustee; and no stockholder shall be entitled to more than ten votes, up to which number each share of stock shall entitle the holder to one vote for such share; and the trustees thus elected shall hold their office for one year, and until their successors are elected.

§ 7. Said trustees shall have power to employ one or more suitable persons to take charge of and manage said college, under such regulations and restrictions as they may, from time to time, adopt.

§ 8. An election for trustees shall be held annually; and if, from any cause, an election is not had at the regular time of holding the election, the same may be held as soon thereafter as practicable.

§ 9. Said institution shall have authority to grant diplomas, degrees, and such other evidences of scholarship, to its pupils as it may direct by its by-laws.

§ 10. The trustees shall have authority to fill vacancies in their board which may, from time to time, occur.

§ 11. This act to take effect upon its passage.

Approved February 27, 1865.

CHAPTER 1158.

AN ACT to incorporate the Petroleum Fire Insurance Company of Louisville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That James Trabue, John M. Delph, T. L. Jefferson, Henry Dent, and Robert K. White, together with their associates successors, and assigns, be, and are hereby, appointed and made a corporation and body-politic, under the name and style of the "Petroleum Fire Insurance Company of Louisville," and shall continue until the first day of January, nineteen hundred; and by that name are made capable in law to have, purchase, or receive, possess, enjoy, and retain, to them and their successors, lands, tenements, rents, goods, chattels, public or private securities of any kind, quality, or nature whatsoever, not exceeding, at

Corporators' names, and corporate powers.

1865.

any one time, the sum of five hundred thousand dollars, and to sell and dispose of the same at any time, or in any manner; and to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in any court of record or in any other place whatsoever; also, to make and use a common seal, and the same to break, alter, and renew at pleasure; also, to ordain, establish, and put in execution such by-laws as may be necessary and convenient for the government of said corporation, not contrary to law.

Capital stock.

§ 2. The capital stock of this company shall not exceed the sum of five hundred thousand dollars, and shall be divided into shares of one hundred dollars each.

When to open books.

Stock how and when to be paid

Corporators not subscribing cease to be members of corporation.

Stock may be forfeited.

§ 3. The corporators named in this act, or any three of them, shall, within three years from the passage of the same, open books for the subscription of stock, and when twenty-five hundred shares have been subscribed, they shall give notice of a meeting of the subscribers, when twenty dollars shall be paid in hand on each share subscribed for, and the company shall be organized; when the remaining eighty dollars on each share shall be secured to be paid, at the time and in the manner that shall be designated by the shareholders who have paid in twenty dollars on each share subscribed for, the corporators named, or any of them, who shall fail to subscribe for stock, shall cease to be members of the company; and the stock of all such subscribers as shall fail to pay twenty dollars on each share subscribed for by them, shall be forfeited to the company, and may be subscribed for by others, under the direction of the president and board of directors; and in case any subscriber shall fail to pay any call made by the board of directors (who are hereby authorized to make such calls) for the unpaid balance of his or her subscription, and remain in default for the space of sixty days, the board may, in their discretion, forfeit his or her stock for the benefit of the company, and such non-paying subscriber shall be liable for his or her proportion of any loss that may have occurred previous to such neglect or refusal.

Capital stock may be increased.

§ 4. The board of directors may, in their by-laws, prescribe the manner in which the capital stock of this company shall be increased, but in no event shall it exceed the sum of five hundred thousand dollars.

Directors to manage, and election of.

§ 5. The business of this company shall be managed by seven directors, who shall be stockholders; an election for directors shall be held at the first meeting of the subscribers, and the directors there elected shall continue in office until the first Monday in June next succeeding, or until their successors are chosen; and on the first Monday in June of each year, an election for directors shall be held at the office of the company; such election to be held un-

der the direction of three stockholders, who shall have been appointed by the directors, and shall be by ballot and by a plurality of votes of the stockholders and their proxies, allowing one vote for each share of stock; and upon all questions submitted to the stockholders for decision, the same rule as to voting the stock shall apply.

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§ 6. The board of directors may choose one of their number as president, in such manner and for such a period as they may ordain by their by-laws, and fix his compensation, and employ such clerk or clerks, secretary or agent, and servants, as they may deem necessary for conducting the affairs of the company, and make such compensation as may be agreed on. At all meetings of the board of directors, a majority of the whole number shall form a quorum for the transaction of business.

President and other officers to be appointed.

Quorum.

§ 7. Whenever the sum of fifty thousand dollars shall be paid in, and the further sum of two hundred thousand dollars shall be secured to be paid to the satisfaction of the president and directors, they shall have full power and authority, in the name of said company, to insure all kinds of property against loss or damage by fire, on the general conditions and principles of fire insurance; and to do and perform all lawful things relating to the said object of fire insurance.

When to commence business

§ 8. The form of certificates of shares and manner of transfers shall be regulated by the by-laws of the corporation, and a lien is hereby created in favor of the corporation on the stock of each shareholder, for any claim that the company may have for the unpaid part of his or her shares or other debts due or arising to said company.

Form of certificate, transfer of stock, &c.

§ 9. Semi-annually each year a fair and clear statement of the affairs of the company shall be made out and exhibited to the stockholders, and a dividend of such proportion of the profits be made as a majority of president and directors may decide; and the president and directors may also declare such dividends to the policy-holders in said company, out of any surplus profits resulting from its business, as they may see fit; but in no case shall the capital stock be diminished.

Statement of condition to be made.

Dividends.

§ 10. Should any election directed to be held under the charter of said company, from any cause, be neglected to be held on the day designated, or to be held on a subsequent day, the corporation shall not, from that cause, be dissolved; but any and all elections, made in good faith, shall be held and deemed valid as if held on the day designated by the act of incorporation.

Corporation not dissolved if election not held at regular time.

§ 11. That this company shall not have authority to deal in real estate beyond what is necessary to successfully carry on their business.

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§ 12. This act to take effect from its passage, and the Legislature reserves the right to alter, amend, and repeal the same.

Approved February 27, 1865.

CHAPTER 1159.

AN ACT to create Garth College.

WHEREAS, Wm. Garth, deceased, late of Bourbon county, by his last will and testament, devised the residuum of his estate, after payment of certain specific legacies, for the endowment of the mathematical professorship in a college to be located in Paris, Ky., provided the citizens of Bourbon county should, within a specified time, procure valid subscriptions for the endowment of said college, payable in a reasonable time, and amounting to the additional sum of one hundred thousand dollars; therefore, in order to effectuate said devise, and promote the cause of education,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporate
name and pow-
ers.

§ 1. That there is hereby created and incorporated, as a body-politic and corporate, "Garth College," to be located in Paris, Ky., which by that name shall have perpetual succession; may sue and be sued, contract and be contracted with; and may have a common seal, and alter the same at pleasure.

Directors to
manage, & how
appointed.

Vacancies.

Professors, tu-
tors, &c., to be
appointed.

May make by-
laws.

§ 2. The affairs of said college shall be intrusted to the management of a board of seven directors, who shall be appointed by the county court of said county, and who shall determine by lot their respective terms, so that one of them shall go out of office on the 1st of January of each year. Vacancies in said board shall be filled by the appointment of said court, and all appointments to fill vacancies occasioned by the expiration of the term of the former incumbent, shall be for the term of seven years. Said trustees shall appoint such professors, tutors, and instructors in said institution as may seem to them fit and necessary in carrying out its purpose, which is to promote the education of the youths who may become connected therewith, and may remove the same at pleasure; and may prescribe, and, from time to time, regulate the compensation of each, and otherwise manage and control said college; and may adopt such by-laws and regulations in relation thereto as may seem to them proper: *Provided*, The same are not in conflict with this act, or the laws and constitution of this State or the United States. They shall have all the power to confer degrees and diplomas which appertain to other colleges in Kentucky.

§ 3. Said trustees are authorized to receive subscriptions for the endowment of said college, or for any other purpose connected with the same, and may invest the same in safe stocks or bonds for the use of said college; and when, by compliance with the conditions of the said Garth's will, they shall be enabled to receive said Garth fund, they are authorized to do so, and to invest the same for the endowment of the mathematical professorship in said college.

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May receive subscriptions for endowment & invest same.

§ 4. No sectarian doctrines or tenets shall at any time be taught in said college, nor shall a majority of its trustees, or of its professors, at any time, be members of any one religious sect or denomination.

No sectarian doctrines or tenets to be taught.

§ 5. The trustees of Bourbon Academy are authorized, for such time and upon such terms as they may agree upon, to furnish to said college the use of their academy buildings.

May use Bourbon Academy.

§ 6. The trustees of said college are empowered, by an order of said board, to place their endowment fund and resources in the hands and under the management and control of any institution of learning which may be established by the State, provided the same shall be located in Paris, and shall be free from sectarian control; or to receive donations from the State or individuals in aid of their institution, provided the said conditions, and the conditions of said Garth will, are observed; but reserving in either case the right to have said fund and resources restored to them whenever said institution shall be placed under sectarian control or removed from Paris.

May place funds in hands of any institution of learning located in Paris

§ 7. This act shall take effect from and after its passage.

Approved February 27, 1865.

CHAPTER 1161.

AN ACT to amend the charter of the Kentucky River Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the proviso of the third section, limiting the capital of the company, be, and the same is hereby, repealed, and the board of directors may increase the capital to such amount as may be deemed by the board sufficient for the plans and purposes of the business of said corporation, not to exceed ten millions of dollars.

§ 2. The Kentucky River Oil and Mining Company are hereby authorized to borrow money to carry on and complete the operations of said company, and to secure the payment of said bonds may mortgage and pledge the lands, roads, road-beds, rolling stock, and other property of the company, and record the same in the counties where the

1865. property of the company is situated: *Provided, however,*
That the said company shall not issue bonds for an amount
to exceed the capital stock of the company.

§ 3. This amendment, and the act to which it is an
amendment, shall take effect from its passage.

Approved February 28, 1865.

CHAPTER 1164.

AN ACT to amend the act incorporating the Western Insurance Company of
Louisville.

*Be it enacted by the General Assembly of the Commonwealth of
Kentucky:*

§ 1. That the provisions of the act incorporating the
"Guthrie Insurance and Trust Company," of Louisville,
approved February 22, 1860, be, and are hereby, made a
part of the act incorporating the "Western Insurance
Company, of Louisville," passed at the present adjourned
session of the General Assembly, so far as the same are
applicable, and are not inconsistent with the provisions of
the act incorporating the latter company.

§ 2. This act shall be in force from and after its passage,
and subject to be altered, amended, or repealed by the
General Assembly.

Approved February 28, 1865.

CHAPTER 1166.

AN ACT to incorporate the Apperson Petroleum, Coal, and Iron Com-
pany.

*Be it enacted by the General Assembly of the Commonwealth
of Kentucky:*

§ 1. That Richard Apperson, John B. Huston, W. S.
Downey, Pollock Barbour, Charles Eginton, Edward P.
Bray, Thomas McGrath, D. W. H. Day, James F. Robin-
son, jr., and L. B. Grigsby, and their associates and suc-
cessors, be, and they are hereby, created a body-politic and
corporate, by the name and style of the "Apperson Petro-
leum, Coal, and Iron Company," and by that name shall
have perpetual succession; may contract and be con-
tracted with, sue and be sued, plead and be impleaded, in
all courts and places; have a common seal, and alter and
break the same at pleasure; may make all necessary by-
laws for the transaction of the business and government of
said company, not inconsistent with the constitution and
laws of this State and of the United States.

§ 2. The capital stock of said company shall not exceed
one million of dollars, which shall be divided into shares,

Corporators'
names, and
corporate pow-
ers.

Capital stock.

subscribed and paid for in such manner as said company may, by its by-laws, prescribe, and shall be considered personal estate.

1865.

§ 3. That said company shall have power to appoint any one or more of its members or other persons to manage, contract, and direct the business of said company, according to the by-laws, rules, and regulations which said company may adopt.

Who to manage affairs of corporation.

§ 4. That said company may acquire and hold, and sell such real and personal estate, by contract or lease, as they may deem necessary or proper for carrying on the mining of coal and iron, the procuring and manufacture of salt, oil, lumber, or any minerals or products, and the transportation thereof to market, together with such quantities of land and personal property as may be necessary for the establishment of mills and landings, machinery and depots, to purchase, build, and own boats and barges, and other necessary implements, buildings, and machinery for carrying on said business; to hold such mining rights, and rights of way, and real estate, as they may deem necessary for a successful prosecution of their business; and the same, or any part thereof, to sell or otherwise dispose of, as the interests of said company may require; with full power to lay out and build all necessary railways and turnpikes, with the same power to condemn lands, and under the same privileges and restrictions, so far as passage and freight and right of way may be concerned or necessary, as the Louisville and Nashville railroad company, Danville and Hustonville turnpike road company have.

May hold real estate necessary for transaction of business.

3.

§ 5. The said company, when fully organized, shall cause a book to be opened and report, subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred on said books in the manner to be prescribed by the by-laws of said company; and each member shall share the profits and liabilities of said company to the extent of, and in proportion to, the amount of capital stock he owns in said company.

Names of members, and No. of shares owned by each to be kept in book

Stock transferable. Liabilities of stockholders.

§ 6. Nothing contained in this charter shall be construed into conferring banking powers upon this company.

No banking powers.

§ 7. The said company shall have all the rights, powers, and privileges which may be conferred by the charter of any similar company or corporation passed or that may be passed at the present session of this General Assembly, and not incorporated specially herein.

Privileges of corporation.

§ 8. This act to take effect from its passage.

Approved February 28, 1865.

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CHAPTER 1167.

AN ACT to incorporate the Portsmouth and Pound Gap Railroad Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Joseph W. Fulton, Lewis Todd, William Green, Henry C. Whitney, John B. Gregory, Thomas Dugan, H. A. Towne, and all such persons as shall become stockholders hereafter in the company hereby incorporated, shall be and form a body corporate and politic, by the name and style of "The Portsmouth and Pound Gap Railroad Company;" and under that name and style shall be capable of suing and being sued, pleading and being impleaded, defending and being defended, either in law or in equity, in like manner and as fully as natural persons might or could do; make, use, and have a common seal; and by and under their said corporate name and style shall be capable in law of contracting and being contracted with; and shall be invested with all the immunities and franchises, and of acquiring, by purchase or otherwise, and of holding and conveying real and personal estate which may be needful to carry into effect fully the purposes of this act.

May construct railroads.

§ 2. The said corporation is hereby authorized and empowered to survey, locate, construct, maintain, and operate a railroad, with one or more tracks, from a point on the Kentucky side of the Ohio river, called "Fulton's Landing," the same being opposite Portsmouth, in Ohio; thence running on the most practicable and direct route to Pound Gap (so called), on the line between the States of Kentucky and Virginia.

Right of way.

§ 3. The said corporation shall have a right of way upon, and may appropriate to its sole and exclusive use and control, for the purposes contemplated herein, land not exceeding eighty feet in width through its entire length; may enter upon and take possession of and use, all and singular, lands and materials of every kind necessary for the building of said road and depots, and other structures necessary to the proper construction and operating of said railroad; all such lands and materials as belong to the State are hereby granted to said corporation for said purposes; but when owned by, or belonging to, any person, company, or corporation, and cannot be obtained by voluntary grant or release, the same may be condemned and paid for in the manner provided for by the laws or customs of this State.

Capital stock.

§ 4. The capital stock of said company shall be five millions dollars, which may be increased from time to time, to any sum not exceeding the entire amount expended on account of said railroad, divided into shares of one hundred dollars each, which shares shall be deemed as per-

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sonal property, and may be issued and transferred in such manner and at such places as may be ordered by the board of directors, who shall have power to require the payment of sums subscribed by stockholders, in such manner and on such terms as they may deem proper; and on refusal or neglect on the part of any of said stockholders so to do, the shares of said delinquents may, after thirty days' notice, be sold at public vendue, under such rules as said board of directors may adopt; the surplus money, after deducting payments due, interest, and costs of sale, to be paid over to the delinquent stockholder; the board of directors may open books of subscription at such places and under such direction as they may choose.

Corporate powers vested in directors.

How stock voted.

§ 5. All corporate powers of said corporation shall be vested in a board of seven directors, to be chosen from the stockholders, and such other officers as said board of directors may appoint; in all elections for directors each share of stock may be allowed one vote, which may be given by the owner in person or by proxy; said board of directors shall be elected once a year, and no share of stock shall be allowed a vote while any assessment remains due upon it.

May make by-laws.

§ 6. The said corporation shall, by their board of directors, have power to establish a code of by-laws, and to alter or abridge them at pleasure by a two-third vote of said board; and also to establish tariffs of rates for tolls on freight and passengers: *Provided*, That said by-laws are not repugnant to the constitution of the United States and of this State, nor to the provisions of this act.

May issue bonds.

§ 7. For the purpose of raising funds, from time to time, for the construction or operating of said road, the said corporation may issue bonds bearing six per cent. interest, and payable in twenty years or less, the payment of said bonds to be secured by a lien upon all the property or franchises of said railroad.

Approved February 28, 1865.

CHAPTER 1168.

AN ACT to incorporate the Kentucky and Ohio Mining and Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That John S. G. Burt, G. Gest, Jno. Groesbeck, Jno. T. Hooper, and P. H. Burt, their successors and associates, be, and they are hereby, declared a body-politic and corporate, by the name and style of the "Kentucky and Ohio Mining and Petroleum Company," and by said name may sue and be sued, plead and be impleaded, in all

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courts; and may have a common seal, which may be changed or altered at pleasure.

Capital stock.

§ 2. The capital of said company shall be five hundred thousand dollars, divided into shares of twenty-five dollars; and real estate, mines, and mining rights may be subscribed as part or the whole of said stock; said shares shall be personal estate, and transferable on the books of said company in such modes as may be prescribed by the rules of said company.

Purpose and object of corporation.

§ 3. The purposes and objects of said company shall be the mining and excavating for petroleum, coal, rock, or carbon oil, or other valuable mineral or volatile substances, or the refining and manufacturing of the same into the products produced therefrom, or any or either of them, and the transportation of the same to markets; and for said purpose shall have all the powers and rights herein given, and all such powers and rights given to other corporations necessary to carry out the objects and intent of its creation.

Directors to manage, & how elected.

§ 4. The property and affairs of said company shall be managed by not less than five nor more than seven directors, who shall be stockholders and citizens of the United States, who shall, except the unexpired term of the first year, be annually elected by the stockholders at such time and place as may be appointed by the by-laws of the company; a majority in interest of the shares shall, in all elections of the stockholders and in all votes by them had, be required to elect or carry any measure, and the stockholders may vote in person or by written proxy. Notice of the first election shall be given by the corporators herein named, at least thirty days before the said election, by public advertisement, by printed bills, or in a newspaper printed in or nearest the principal place of business; elections shall be by ballot, and each stockholder shall have as many votes as he owns shares; vacancies may be filled in such mode as may be provided for in the by-laws.

Vacancies.**President and other officers to be appointed.**

§ 5. A president shall be elected from the directors by them, and such other officers, agents, and employes may be appointed, in such modes as may be prescribed by the by-laws.

May make by-laws.**When to organize.**

§ 6. The directors may make such by-laws, rules and regulations, as they may deem proper for the prudential management of the corporation, not inconsistent with the laws and constitution of this State or of the United States; may organize and put into practical operation said company when fifty thousand dollars are subscribed, open books, and receive other subscriptions; may, by orders, direct the times and places for so doing, and the mode and manner in which stock shall be paid or forfeited for non-payment.

§ 7. The company shall keep a book showing the names and residences of the stockholders, number of shares, and what paid in, which shall be open at all times for the inspections of the stockholders.

§ 8. Said company shall have power to purchase, acquire, and hold real estate, mines, and mining rights, necessary for the uses and objects of the corporation, not exceeding ten thousand acres, and such personal property as shall be necessary for the proper conduct of the business, and to dispose of any part or all of the property for the uses and benefit of the company or stockholders.

§ 9. Nothing herein contained shall be construed as a grant of any banking powers, or rights to bank, or deal in exchange, or loan money.

§ 10. This act shall be in force from its passage.

Approved February 27, 1865.

1865.

Record of
stockholders &
No. of shares
owned by each
to be kept.
May hold real
estate.

No banking
powers.

CHAPTER 1169.

AN ACT to incorporate the Clay Lick Salt, Oil, and Mineral Company of Green County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Leopold Heartfield, James E. Cole, and B. W. Penick, their associates, successors, and assigns, be, and they are hereby, created a body corporate, by the name, style, and title of the "Clay Lick Salt, Oil, and Mineral Company of Green County." and by that name are hereby made as capable in law as natural persons to contract and be contracted with, sue and be sued, plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain and put in execution all such by-laws, ordinances, and regulations, as shall seem necessary and proper for the conducting and government of said corporation, not inconsistent with the constitution and laws of this State or the United States.

Corporators'
names, and
corporate pow-
ers.

§ 2. The capital stock of said company shall be five hundred thousand dollars, to be divided into shares of twenty-five dollars each; said company may, however, commence operations as soon as twenty thousand dollars of said capital stock is subscribed and ten thousand dollars thereof paid in; and the remaining portion of said stock may be issued and sold by the board of directors of said company at such times as to them may seem best.

Capital stock;

§ 3. The said company shall have power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful promotion of their business, to-wit: to explore, bore, excavate, mine, and dig for

May hold real
estate, &c.

1865.

petroleum, salt water, coal, iron, lead, zinc, and other minerals, and in the manufacture of the same, and other products of land now owned by them, or which may be hereafter owned or leased by them; to purchase, build, and own boats, and other necessary implements and machinery for carrying on said business; to erect all company buildings for its transportation; to hold such mining rights and rights of way, and real estate, as they may deem necessary for the successful prosecution of their business; and the same, or any part thereof, to sell or otherwise dispose of, as the interest of said company may require.

Directors, president, &c.

Officers to be appointed.

§ 4. For conducting the affairs of said company a board of not less than three nor more than five directors of said company shall be chosen; said board shall choose one of its members who shall be president of said company, and said board shall serve for one year, or until their successors are elected and qualified. The president and directors shall have power to appoint all other officers, agents, or servants, and remove them at pleasure; in all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy. The stock of said company shall be deemed personal estate.

May open books.

§ 5. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure, provided, however, that the stock at no time shall exceed the maximum amount herein named.

May borrow money.

§ 6. That it shall be lawful for the president and directors of said company, from time to time, to borrow or obtain on loans such sums of money, and on such terms, as they may deem expedient for the use of said company, and to pledge or mortgage all or any part of the estate, improvements, privileges, effects, and assets of said company, for the repayment of such sums of money so borrowed, at such time as may be agreed on.

Stock may be forfeited.

§ 7. In the event of failure of any stockholder to pay up his stock as called for by order of the board, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

§ 8. Said company shall have, possess, and enjoy all the rights, privileges, and immunities conferred by law in this State upon any other petroleum and manufacturing company chartered for similar purposes.

§ 9. This act to take effect from its passage.

Approved February 23, 1865.

CHAPTER 1170.

1865.

AN ACT to incorporate the Central Kentucky Rock Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That George Reed, Henry Weld Fuller, John L. Stewart, Nelson Yocum, F. Baker, and D. H. Blaney, are created a body corporate, able by their common consent to receive and grant in law any thing within the compass of their chartered franchises and privileges, to be denominated the "Central Kentucky Rock Oil Company;" with the privilege and purpose of boring for rock oil, and mining for coal, on any lands which they have in Grayson and Hart counties, and in any other county or counties in Kentucky, or any they may hereafter acquire, either by purchase or lease; and reducing the same to burning fluid, paraffine, asphaltum, and to all its uses; trading in oil in its crude or refined state, and shipping it to foreign or domestic ports; lay conduct pipes, and construct a railroad from their wells to a navigable river or a railroad now constructed, or that may hereafter be constructed; and to make connections and turn-outs for their purposes, &c.; they, and their associates and successors, shall continue and have succession for an indefinite period; and by that name and style are hereby made as capable in law as individual citizens to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to make, have, and use a common seal; also shall have the power to purchase or lease, and hold real estate for the purposes aforesaid, and to sell or lease any part they may desire, by deed or other conveyances; to borrow money for the benefit of said company; but not to have or exercise the power of loaning money, or bills, or notes, upon banking principles; also, after the company be organized, shall have the power to ordain and establish such by-laws, ordinances, and regulations as shall be necessary for the well-being and government of said corporation, and not contrary to the laws of this State or of the United States.

Corporators' names, and corporate powers.

§ 2. That the capital stock shall be one million of dollars, divided into shares as the board of directors may direct.

Capital stock.

§ 3. That the president and directors shall regulate the proportion of stock which may be issued to each member on application.

§ 4. That the corporation shall hold a meeting as soon after the passage of this act as practicable, for the purpose of organizing by the election of a president, vice president, secretary, treasurer, and board of directors, which

President and other officers to be appointed.

1865.When election
to be held.How stock
voted.Report of con-
dition to be
made.May declare
dividends.No banking
powers.

shall be not less than three nor more than seven; these officers, or a majority of them, to constitute a board to transact the business of the company, and to hold their offices for one year only, and until others are elected; at the expiration of each year an election for said officers to be held, at such place as the board may direct, notice being given in two or more newspapers published in Louisville, Kentucky, of the time and place of holding said election, at least one month before holding said election, for one week; each stockholder shall have one vote for every share he or she may own, and any stockholder not present at any time of such meeting or election may vote by proxy, such proxy being a stockholder attending such meeting or election, and presenting his authority from his or her principal, duly authenticated by two witnesses subscribing to his or her names.

§ 5. That at every annual meeting it shall be the duty of the secretary to report in writing the financial condition of the corporation, its acts and doings, and at all times to have his books ready for inspection by the board of directors; and also, at said meeting to declare the dividends, &c., directing the treasurer to settle and pay the same in conformity with his report; and further, that dividends may be declared and paid to stockholders half yearly, quarterly, or when the directors shall order; that the treasurer is at all times authorized to deposit money belonging to the corporation in any good and solvent bank at the risk of the corporation or stockholders.

§ 6. That nothing in this act shall be so construed as to confer banking power upon the corporation.

§ 7. That the General Assembly reserves the right to alter, or amend, or repeal this charter at will.

§ 8. This act to take effect from its passage.

Approved February 28, 1865.

CHAPTER 1171.

AN ACT for the benefit of John A. Burton, executor of Jane Gray, deceased.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it may be lawful for John A. Burton, of Boyle county, Ky., who is the executor of Jane Gray, deceased, to invest the proceeds now in his hands (which, by the will of said Jane Gray, he was directed to loan out and pay the interest thereon to the education of four poor children) in some safe stocks, such as United States bonds, bank stocks, or Boyle county railroad bonds, and collect the interest thereon, and pay the same out as directed in said will.

§ 2. That the said executor shall present such bonds or stocks, or certificates of stocks, to the Boyle county court, and said investment must be ratified and approved by said court, and so entered in the orders of said court. Previous to which the said executor must settle his accounts, and file, in the county court of Boyle county, an exact and accurate statement of the amount in his hands which has been by said will appropriated to the trust mentioned above.

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§ 3. This act to take effect from its passage.

Approved February 28, 1865.

CHAPTER 1172.

AN ACT to amend the charter of the Covington and DeCoursey Creek Turnpike Road Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That so much of section 13 as requires said company to be "so far organized as to elect a president and directors within five years," be repealed, and the further time of five years be allowed the subscribers to organize, as provided for in said section.

§ 2. That upon the completion of the bridge over Bank Lick creek, said company may collect toll at the rates now authorized by law, as though said road was finished two and one half miles; and may collect from foot passengers at the rate of two cents per passenger for passing over said bridge.

§ 3. That the subscribers to the stock of the Covington and DeCoursey Creek turnpike road company may organize and elect a president and directors when subscriptions to the amount of five thousand dollars have been obtained.

§ 4. This act to take effect from its passage.

Approved February 28, 1865.

CHAPTER 1175.

AN ACT for the benefit of the counties of Green, Marion, Hardin, Allen, Henderson, Scott, Fleming, and Washington.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county courts of Green, Marion, Hardin, Allen, Washington, Henderson, Scott, and Fleming counties be, and the same are hereby, authorized, in their discretion, to levy an ad valorem tax upon the property of the citizens of their respective counties subject to State revenue, to pay a body of men not exceeding fifty in number,

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for a county police, whose duty it shall be to patrol and guard the counties against guerrillas and all outlaws, and assist the civil officers in executing the laws.

§ 2. That said police shall be appointed by the county courts of the respective counties, a majority of the justices being present and concurring therein.

§ 3. That said courts shall prescribe the rules and regulations in regard to the duties of said police, as in their discretion may be legal and proper, and fix the compensation, and provide for the collection and safe-keeping of the fund to be raised for paying said police.

§ 4. This act to take effect from and after its passage.

Approved February 28, 1865.

CHAPTER 1180.

AN ACT to incorporate the Marion, Washington, and Taylor County Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Richard J. Browne, John R. Thomas, Joseph H. Chandler, and John B. Carlile, and their successors and assigns, are hereby created a body-politic and corporate, under the name and style of the "Marion, Washington, and Taylor County Oil, Mining, and Manufacturing Company," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter the same at pleasure; may make by-laws and regulations for the government of said company and management of its affairs, provided the same are not inconsistent with the laws of Kentucky or of the United States.

§ 2. Said company shall have power to appoint any one or more of its members to manage and control its business, in such manner, under such official names and character, and with such limitations of their duties and authority as may be prescribed by the by-laws and regulations which may be, from time to time, adopted by said company.

§ 3. The capital stock of said company shall not exceed two hundred and fifty thousand dollars, to be divided into shares of not less than ten dollars nor more than one hundred dollars each, which may be subscribed and paid for and transferred in such manner as may be prescribed by said company in its by-laws.

§ 4. The said company shall have power to acquire and hold such estate and property, real or personal, in Kentucky, by purchase, lease, or otherwise, as it may deem

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necessary and proper for carrying on the mining of coal, the smelting of iron or lead, the conversion of timber into lumber, the boring for salt and oil, and other products and deposits in the earth, and the manufacturing and refining all the aforesaid articles; and the building of all the necessary machinery therefor, with the power to sell and convey all such products, materials, and estate, or any part thereof, at pleasure; and may not only carry on the business herein indicated, but do such other things as may be necessary and incidental thereto; but said company shall have no banking privileges whatever. The Legislature reserves the right to alter, amend, or repeal this act.

§ 5. This act shall take effect from and after its passage.

Approved February 28, 1865.

CHAPTER 1181.

AN ACT to amend the act, entitled "An act providing for the levy and collection of a tax to pay the Kenton county bounty fund."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the act, entitled "An act providing for the levy and collection of a tax to pay the Kenton county bounty fund," approved the 1st day of February, 1865, be, and the same is hereby, amended so as to increase the tax directed to be levied by the first section of said act to seventy-five cents on each one hundred dollars of the taxable property of said county, and the tax of three dollars on each tithe prescribed by the first section of said act is hereby increased to five dollars on each tithe. Tax increased.

§ 2. That for the purpose of raising a fund to enable Kenton county to fill its quota of troops under the pending call of the President of the United States for 300,000 men, said county is hereby authorized to issue certificates to each individual who shall contribute to the bounty fund now being raised for the purpose aforesaid, which certificates shall bear interest from date; but the certificates to be so issued shall, in no event, exceed the sum of \$90,000, and the reasonable expenses of issuing said certificates and collecting said money. May raise bounty fund, & how.

§ 3. That said certificates shall be in such form and for such sums as the judge of the Kenton county court, in conjunction with the finance committee now acting in said county, may deem advisable, and each certificate shall specify the sum paid into said fund by the person to whom it is delivered, and shall be signed by the judge of the Kenton county court, and by the treasurer of said finance committee; but the treasurer of said committee shall in no case sign any one of said certificates until he has re- Form of certificates, &c.
No. & amount of certificates to be recorded.

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ceived the amount thereof from the person to whom it is to be issued. Said certificates shall be numbered, and said finance committee shall keep a book in which shall be recorded the number and amount of each certificate, and to whom issued, and the date thereof, which entries shall be made as each certificate is delivered; and when all certificates to be issued under this act shall have been delivered, the treasurer of said finance committee shall sign said record at the close thereof, and deliver the same to the clerk of the Kenton county court, who shall preserve it among the records of his office.

Footings of certificates.

Com'rs to make payment of certificates.

§ 4. That the certificates to be issued under the authority of this amendment shall be placed on the same footing in all respects with the receipts issued by the Kenton county bounty fund committee in the fall of 1864, for which payment is provided in the 7th, 8th, 9th, 10th, and 11th sections of the act to which this is an amendment. And it shall be the duty of the bounty fund commissioners who are to be appointed under the act to which this is an amendment, to receive and make payment of the certificates to be issued under this act, at the same time and in the same manner as is prescribed for the reception and payment of said receipts; and if, at the time any payment is to be made by said commissioners, the amount of the receipts and certificates filed with them shall exceed the sum to be paid, payment shall be made *pro rata* among the receipts and certificates filed.

Compensation of judge and treasurer.

§ 5. That the judge of the Kenton county court, and the treasurer of said finance committee, shall each receive the sum of one hundred dollars as a compensation for their services in issuing said certificates and receiving said money, to be paid out of said fund.

§ 6. This act shall take effect from and after its passage.

Approved February 28, 1865.

CHAPTER 1182.

AN ACT to incorporate the Indian Creek and Jack's Knob Iron, Coal, Salt Lead, Lumber, and Oil Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That E. H. Hobson, D. R. Haggard, G. W. Hunt, and J. A. Brents, and their successors, be, and they are hereby, created a body-politic and corporate, under the name and style of the Indian Creek and Jack's Knob Iron, Coal, Salt, Lead, Lumber, and Oil Manufacturing Company, and by that name have perpetual succession; may

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contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter the same at pleasure; may make all by-laws and regulations for the government of said company not inconsistent with the laws of Kentucky and the laws of the United States.

§ 2. That said company shall have power and authority to appoint one or more of said company, or other person or persons, to manage, control, and direct the business of the company when it is not convenient for the company to act in session, provided it shall be adopted in the by-laws, rules, and regulations which may be adopted by said company for its government and the transaction of its business.

Who to manage affairs of corporation.

§ 3. The capital stock of said company shall amount to five hundred thousand dollars, with power to increase the same at pleasure, to be divided into shares of fifty dollars each, which may be subscribed and paid for in such manner as may be prescribed by said company in their by-laws; and said shares may be transferred in such manner as its by-laws may direct.

Capital stock.

§ 4. Said company shall have power to purchase and hold real estate in any of the counties in this State, not exceeding fifty thousand acres in quantity, and such personal estate as they deem necessary and proper for carrying on the business of said company in the mining and manufacturing of iron, coal, salt, lead, lumber, and oil, and refining the same, and for the transporting the same to market, foreign or domestic; said company shall have power to mine and transport any other mineral or thing that may be discovered valuable to said company while in the legitimate pursuit of the business herein granted; said company shall have power to purchase and sell leases of others who have obtained any or all the privileges hereby granted for the manufacturing of iron, lumber, lead, salt, or boring petroleum wells, refining the oil; and said company shall have extended to them all the privileges of manufacturing and developing the same as though the leases had been obtained by any member of the company for the purpose as expressed in the first section of this bill.

May hold real estate.

§ 5. Said company shall have the power to erect and construct one or more railroads, not exceeding thirty miles in length, from any point where they may be engaged in mining or manufacturing, or where they may have any of the aforesaid articles of commerce which they desire to get to market; they may form connections with any railroad now in existence or may hereafter be constructed; may build turnouts, switches, warehouses, water-tanks, wood-houses, and such other buildings and bridges as said company may see proper for the transportation of the neces-

May build railroads.

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sary supplies or materials for the use of the country and the hands engaged in the employ of the company. Said company may build turnpikes and open dirt roads over any real estate owned by individuals, provided the owner of such real estate shall consent.

Stock to be regulated.

§ 6. The president and directors shall regulate the proportion of stock, which may be issued to each member on application.

Officers to be elected.

§ 7. That the corporation, or a majority of them, shall hold a meeting as soon after the passage of this act as is convenient, for the purpose of organization by the election of a president, vice president, secretary, and treasurer; these officers to constitute a board of directors, and

Term of office. Elections.

to hold their offices for twelve months, or until others are elected; and at the expiration of each year an election of said officers to be held in the city of Louisville, or such other place as a majority of said directors may agree upon, where the office for the transaction of their business shall be located; and notice shall be given, in one or more newspapers published in the city of Louisville, of the time and place of holding said election, for one week; and each stockholder shall have one vote for every share he or she may own; and any stockholder not present at any such meeting or election may vote by proxy, such proxy being a stockholder attending such meeting or election, and presenting his authority from his principal, duly authenticated by two witnesses subscribing to his or her name under seal.

How stock voted.

Secretary to report at annual meeting.

§ 8. That at every annual meeting it shall be the duty of the secretary to report in writing the financial condition of the corporation, its acts and doings; and at all times to have his books in a condition for inspection by the board of directors; and also, at said meeting, to declare the dividends, &c., directing the treasurer to settle and pay the same in conformity with his report; and, further, that dividends may be declared and paid to stockholders half yearly, quarterly, or when the directors shall order; that the treasurer, at all times, is authorized to deposit money belonging to the corporation in any good and solvent bank in the city of Louisville, at the risk of the corporation or company of stockholders.

May declare dividends.

§ 9. The right to alter, amend, or repeal this charter is reserved to the General Assembly.

§ 10. This act to take effect from its passage.

Approved February 28, 1865.

CHAPTER 1184.

1865.

AN ACT to incorporate the Somerset Petroleum and Transportation Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That M. E. Ingram, J. T. Boyle, W. McKee Fox, A. H. Hager, Thos. T. Davis, John Woods, W. S. Shepperd, Wm. Millward, L. M. Flournoy, and A. T. Curd, and their successors, be, and they are hereby, created a body-corporate and politic, by the name of the "Somerset Petroleum and Transportation Company," for the term of thirty years, with all the powers and authority incident to corporations, for the purposes hereinafter mentioned.

Corporators' names, and corporate powers.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils and minerals, and to refine and vend the same.

May hold lands

§ 3. The capital stock of the Somerset Petroleum and Transportation Company shall be five hundred thousand dollars, and shall be divided into shares of not less than five nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct; and the capital stock of said company may be increased, if deemed necessary, by the board of directors: *Provided*, That it shall not exceed one million of dollars.

Capital stock.

§ 4. The affairs of said company shall be managed by nine directors, one of whom shall be president, all of whom shall be stockholders in said corporation; the first board of directors shall consist of M. E. Ingram, J. T. Boyle, W. McKee Fox, A. H. Hager, Wm. Millward, Thos. T. Davis, L. M. Flournoy, F. F. Shepperd, who shall continue in office until their successors are, by a majority of the stockholders of said corporation, elected; and the board of directors chosen by the stockholders shall continue in office for one year or until their successors are elected; if any of the above named directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else. They may adopt such by-laws and rules for the government of the corporation and management of its affairs and business as they may deem proper, not inconsistent with the constitution and laws of the State. The said corporation or any of them may open books of subscription and receive subscriptions to the capital stock of said company herein incorporated, and books of subscription may be opened and subscriptions received at such times and places, and upon such notices thereof, as any three of said incorporators may deem right and proper.

Who to manage affairs of corporation.

Term of office.

Vacancies.

May make by-laws.

May open books.

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Not to own property exceeding the capital stock.

When new board elected.

Officers to be appointed.

§ 5. The said Somerset Petroleum and Transportation Company shall not own, in fee simple or by lease, lands exceeding in value five hundred thousand dollars, the capital stock of the company; whenever one hundred thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice shall be given of the time and place of a new board of directors, who shall hold office for one year, and as provided herein. The board of directors of said corporation may fill vacancies occasioned by death or resignation, or otherwise; and may make such calls of payment of stock as they deem proper, not to exceed twenty per cent. for every thirty days. They may keep their office at such place or places as they deem to the interest of the corporation; they may appoint a secretary, treasurer, superintendent, and other officers as they may deem necessary, with such compensation for services as they may fix; and by their by-laws regulate and fix the mode of keeping their records as may be deemed necessary.

§ 6. The General Assembly reserves the right to change, amend, or repeal this charter at any time; and this company shall have no banking privileges.

§ 7. This act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1185.

AN ACT to charter the Fillmore Petroleum, Oil, Coal, Salt, and Iron Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William Watkins, R. B. Alexander, S. S. Watkins, Thomas M. Watkins, Thomas J. Lewis, and D. Hambleton, are created a body corporate, able by their common consent to receive and grant in law anything within the compass of their chartered franchises and privileges, and to be denominated "The Fillmore Petroleum, Oil, Coal, Salt, and Iron Company," with the privilege and purpose of boring petroleum and salt wells on any lands which they have in Crittenden or Livingston counties, or any other counties in which they may acquire land, either by purchase or lease; and reducing the oil to burning fluid, paraffine, asphaltum, and to all its uses; trading in oil in its crude or refined state; and to mine and sell coal; and making and trading in salt; and making and trading in iron, and shipping it to foreign or domestic ports; lay conduct pipes, and construct a railroad from their wells or furnaces to a navigable river or a railroad now constructed or to be constructed, and make connections and turn-outs

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for their purposes, &c.; they, and their associates and successors, shall continue and have succession for an indefinite period; and by that name and style are hereby made as capable in law as individual citizens to contract and be contracted with, to sue and be sued, to plead and be impleaded, in the Commonwealth and elsewhere, in all courts of law and equity; to make, have, and use a common seal; also, shall have the power to purchase, or lease and hold, real estate for the purposes aforesaid, and to sell or lease any part they may desire, by deed or other conveyance; to borrow money for the benefit of said company, but not to have or exercise the privilege of banking; also, after the company be organized, shall have the power to ordain and establish such by-laws, ordinances, and regulations as shall be necessary for the well-being and government of said company, and not contrary to the laws of this State or of the United States.

§ 2. That the capital stock be five hundred thousand dollars, divided into shares of one hundred dollars each.

§ 3. That the president and directors shall regulate the proportion of stock which may be issued to each member on application.

§ 4. That the corporation, or a majority of them, shall hold a meeting as soon as possible, after the passage of this act, for the purpose of organizing by the election of a board of directors, to consist of not less than three nor more than five stockholders, who shall constitute a board of control, and to hold their office for one year, or until others are elected and qualified; they shall have the power to elect a president, vice president, secretary, and treasurer, who shall also hold their office one year, or until their successors shall be appointed; and at the expiration of each year an election shall be held for said officers, at such place as the office for the transaction of the business of the company shall be located, notice thereof to be given by the secretary, by publishing in one or more newspapers published in the city of Louisville, of the time for said election, at least one month before the time appointed; each stockholder shall have one vote for each share of stock he or she may own, and any stockholder not present may have his votes cast by proxy, such proxy being a stockholder attending and presenting his authority from his principal, duly authenticated by two subscribing witnesses under seal.

§ 5. That at every annual meeting it shall be the duty of the secretary to report, in writing, the financial condition of the corporation, its acts and doings, and at all times to have his books ready for inspection by the board of directors, and also at said meeting to declare the dividends, &c., directing the treasurer to settle and pay the same in

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conformity with his report; and, ordered by the directors at such annual meeting, dividends may be declared half yearly or quarterly, and paid to the stockholders by the direction of the board; that the treasurer is, at all times, authorized to deposit money belonging to the corporation in any good and solvent bank in Kentucky, at the risk of the corporation.

§ 6. The General Assembly reserves the right to alter, or amend, or repeal this charter at any time.

§ 7. This act to take effect from its passage.

Approved February 28, 1865.

CHAPTER 1186.

AN ACT to incorporate the Big Sandy and "Great Oil Spring" Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Len. A. Harris, A. G. McCook, Ben. Robinson, J. A. Fisher, J. F. Horr, C. Rule, and J. B. Auxier, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of The Big Sandy and "Great Oil Spring" Petroleum Company, with perpetual succession and power, under the said name and style, to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places, as a natural person; and to make, have, and use a common seal, and to break or alter the same at pleasure; and the said company shall have the right to institute and enforce all necessary by-laws, rules, and regulations for its own government, and for the conduct of its business, not inconsistent with the constitution and laws of this State or the United States.

May hold real estate.

Business of corporation.

§ 2. The said company shall have power to purchase, lease, acquire, and hold such real estate, in the State of Kentucky and elsewhere, by lease, in fee simple or otherwise, and such oil and mineral privileges, rights of way, and other easements, as it may deem necessary or expedient for its business, and to sell and convey, or sub-let the same, or any part thereof, or interest therein, if deemed proper; and shall have power to dig, bore, mine, and in any other manner search for rock or carbon oil, and other volatile substances, coal, salt, iron, lead, and any and all other mineral products or deposits in the earth; and to extract, remove, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market, any or all of said mineral products, oils and deposits, and transport and sell the same in or out of this State; and it shall have power to buy and hold, erect or construct, all such build-

ings, machinery, tools, fixtures, and personal property of every kind and description whatever, deemed necessary or proper in carrying on said business, or any part thereof; and to make and construct all such roads and bridges as may be deemed necessary for the use and convenience of said company.

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§ 3. The said company may open and keep its principal office in or out of this State, as the board of directors may determine, and may raise or borrow money upon such bonds, notes, or other evidences of debt, as the board of directors may order to be issued or executed, in such sums and at such times and places, and at such rate of interest, as may be deemed advisable; and it may execute and deliver mortgages or other securities upon any or all of its property, for the payment of such debts as may be, from time to time, created.

Where to keep office.

May borrow money.

§ 4. The capital stock of said company shall not exceed five millions of dollars, to be divided into such number of shares as the board of directors may determine, which shares shall be personal property, and shall be evidenced and transferred as prescribed by the by-laws, rules and regulations of the company. The board of directors may fix the capital stock, at first, at a less sum than five millions of dollars, and increase the same from time to time, as may be deemed expedient, but not to an amount exceeding the sum aforesaid. The said corporators named in the first section of this act shall constitute the board of directors of said company, until their successors shall be chosen as hereinafter prescribed; and they, or a majority of them, shall have power immediately to open books for the subscription of stock, and prescribe in the contract of subscription the manner and time of payment, and the manner and grounds of forfeiture of such stock as may be subscribed and not paid for as required on call; and when an amount shall be subscribed sufficient in their judgment to enable the said company to proceed to business, they shall call a meeting of the stockholders at such place as they may designate, to elect a board of directors and other officers of said company, which board of directors shall consist of not less than five nor more than nine persons, and shall continue in office for one year and until their successors are chosen; at such meeting the stockholders may select a president, secretary, and treasurer, and other inferior officers of said company, or they may leave the appointment of such officers to the board of directors, as may be deemed most expedient. The president, secretary, treasurer, and other inferior officers shall receive such salary, hold their offices for such terms, and perform such duties, as may be prescribed by the by-laws, rules, and regulations of the company; and they, or either of them,

Capital stock.

Board of directors.

May open books.

Elections—when held.

Officers to be elected.

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may be required to give bond and security for the faithful discharge of the duties of their respective positions; but nothing contained in any by-law, rule or regulation shall be so construed as to prevent the board of directors from removing any such officer before the expiration of his term of office, if, in the judgment of said board, the interests of the company require such removal; and in the event of any such removal, such officer shall be entitled to compensation only for the time he has actually served.

Vacancies.

§ 5. The board of directors, or such number thereof as may constitute a quorum for the transaction of business, according to the by-laws, rules, and regulations of the company, shall have power to fill all vacancies in any office occurring between the times fixed for regular elections.

How stock
voted.

§ 6. Each share of stock shall entitle the holder or holders thereof to one vote at all meetings and elections held by the stockholders, and such vote must be cast by the holder or holders in person or by virtue of a written proxy, signed by him or them; and no person shall be voted for, or hold the office of president or director, unless he shall be at the time, in good faith and in his own name, a stockholder in said company.

Contingent or
sinking fund.

§ 7. The said company, by its board of directors, shall have power to designate and set apart such portion of the funds arising from sales of the capital stock, or from the earnings and profits of its business, as may be deemed advisable, to be held as a contingent or sinking fund; and when dividends are declared and distributed, such fund may be retained or loaned out; all dividends arising from the profits of the business of said company, and from sales of real estate or otherwise, shall be distributed among the stockholders, pro rata, according to the amount of stock held by each.

§ 8. This act shall take effect from and after its passage.

Approved March 1, 1865.

CHAPTER 1187.

AN ACT to incorporate the Reverdy Petroleum and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. R. Jennings, Henry Rodewald, G. W. Williams, D. Looney, G. W. McAdams, F. W. Dohrman, Frank Lander, and T. Holmes, or any three of them, their assigns, associates, and successors, be, and they are hereby, constituted and created a body-politic and corporate, by the name and style of the "The Reverdy Petroleum and Manufacturing Company," and by that name and style to

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have perpetual succession for the purpose of boring for oil and salt water, and refining and manufacturing the same, and mining coal and other minerals and ores, and preparing the same for, and putting the same in market, in such form and place or places as said company may deem proper; and the said corporation, by the said name, is hereby declared and made capable in law to sue and be sued, to plead and be impleaded, to have and use a common seal, and the same to alter at pleasure; to make rules and by-laws for the regulation and management of said corporation, not inconsistent with the laws of this Commonwealth, and generally to do and execute for the well-being of said company whatsoever shall lawfully pertain to such bodies-politic: *Provided*, That nothing in this act shall be so construed as to give or confer upon said company any banking privileges.

§ 2. That the capital stock of said company shall not exceed two millions of dollars. Said stock shall be divided into shares of one hundred dollars each, which said shares shall be represented by proper certificates or scrip, and shall be deemed personal property, transferable by assignment or otherwise, as may be prescribed by the by-laws of the company.

§ 3. That the said corporation shall, in all other respects, be ruled and governed, and have all the rights, privileges, and powers which are conferred upon the Cloverport Oil and Coal Company by sections two, four, five, six, seven, eight, ten, eleven, and twelve (§ 2, 4, 5, 6, 7, 8, 10, 11, and 12) of an act, entitled "An act to incorporate the Cloverport Oil and Coal Company," approved December 20, 1861, to the same extent as if the said several sections were fully copied and embodied in this act.

§ 4. That this act take effect from its passage.

Approved March 1, 1865.

CHAPTER 1188.

AN ACT to incorporate the Buffalo Wallow Petroleum, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Green Sterett, David Adams, W. P. D. Bush, G. W. Williams, James E. Stone, R. G. Bush, and G. W. McAdams, or any three of them, their associates, successors, and assigns, be, and they are hereby, constituted and created a body-politic and corporate, by the name and style of "The Buffalo Wallow Petroleum, Mining, and Manufacturing Company;" and by that name and style to have perpetual succession, for the purpose of boring for oil and salt water,

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and refining and manufacturing the same ; mining coal and other minerals and ores, and disposing, reducing, working, and refining the same ; and for transacting all the usual and necessary business, and doing all such acts, and conducting and carrying on all such operations as may be necessary in preparing such products for market, and disposing of the same as they may think proper ; and the said corporation, by the said name, is hereby declared and made capable in law to sue and be sued, to plead and be impleaded ; to have and use a common seal, and the same to alter at pleasure ; to make rules and by-laws for the regulation and management of said corporation, not inconsistent with the laws of this Commonwealth, and generally to do and execute for the well-being of said company whatsoever shall lawfully pertain to such bodies politic : *Provided always*, That nothing in this act shall confer upon said company any banking privileges.

§ 2. That the capital stock of said company shall be five hundred thousand dollars, but the same may be increased, from time to time, as said company may deem requisite to the prosecution of its business to any amount not exceeding one million of dollars ; said stock shall be divided into shares of one hundred dollars each, which said shares shall be represented by proper certificates or scrip, and shall be deemed personal property, transferable by assignment or otherwise, as may be provided for in the by-laws of said company.

§ 3. That said company shall have all the rights, privileges, and powers which are conferred upon " The Cloverport Oil and Coal Company " by sections two, four, five, six, seven, eight, ten, eleven, and twelve of an act, entitled " An act to incorporate the Cloverport Oil and Coal Company," approved December 20, 1861, and be governed and controlled in the same manner, and to the same extent, as if the said several sections of said act were fully copied and embraced in this act as part thereof.

§ 4. That this act take effect from its passage.

Approved March 1, 1865.

CHAPTER 1189.

AN ACT to incorporate the Taylor Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Samuel R. Bass, Robert T. Hodgen, John Harding, Robert Marshall, John G. Roach, and R. S. Montague, their associates, successors, and assigns, be, and they are hereby, constituted and created a body-politic and corporate, by the name and style of the " Taylor Petro-

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leum and Mining Company," and by that name shall have perpetual succession, for the purpose of boring, mining, and digging for petroleum, oil, coal, salt, iron, and other minerals; manufacturing and refining oil, mining coal, iron ores, salt, and other minerals; and the manufacturing of wood, and for transacting all the usual and necessary business of companies in mining, manufacturing, transporting, and selling of oil, petroleum, coal, ores, and other products; and the said corporation, by the said name, is hereby declared and made capable in law to sue and be sued, to plead and be impleaded, in all courts and places; to have and use a common seal, and the same to alter at pleasure; to make rules and by-laws for the regulation and management of said corporation, not inconsistent with the laws of Kentucky or of the United States.

§ 2. That said company shall have the right to acquire and hold, by purchase or lease, any and all such lands, tenements, oil rights, coal rights, ore rights, mining rights, and appurtenances, rights of way, buildings, real, personal, or mixed property, as they may deem necessary for the well-being and advantage of said company, and the same, or any part thereof, to use and occupy, sell, lease, let, or otherwise dispose of, as the said company may from time to time see proper; and to enter into and make any and all such arrangements, contracts, deeds, and obligations as may be requisite and proper in the prosecution of the business of said company; and to do, or cause to be done, all and every lawful thing or act appropriate to the accomplishment of the objects and purposes herein contemplated or intended.

§ 3. That the capital stock of said company shall be one hundred thousand dollars, with the privilege of increasing the same, from time to time, as said company may deem requisite to the prosecution of its business, to any amount not exceeding five hundred thousand dollars; said stock shall be divided into shares of fifty dollars each, which said shares shall be represented by proper certificates or scrip, and shall be deemed personal property, transferable by assignment or otherwise, as may be provided for in the by-laws of said company, and said shares may be subscribed and paid for in such manner as may be prescribed by said company in its by-laws.

§ 4. Said company shall have power and authority to appoint any one or more of its members or other person or persons to manage, control, and direct the business of said company according to the by-laws, rules, and regulations which may, from time to time, be adopted by said company for its government and the transaction of its business.

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§ 5. Said company may borrow money on such terms and secure the same in such way as may be prescribed by the by-laws or determined on by the stockholders; but no banking privileges are hereby granted to said company.

§ 6. This act shall take effect from and after its passage.

Approved March 1, 1865.

CHAPTER 1190.

AN ACT to incorporate the Ben. Spaulding Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Robert D. Spaulding, William Spaulding, W. R. Davis, John Pearce, Ben. P. Cissell, and W. P. D. Bush, or any three of them, their associates, successors, and assigns, be, and they are hereby, constituted and created a body-politic and corporate, by the name and style of "The Ben. Spaulding Oil Company," and by that name and style to have perpetual succession, for the purpose of boring for oil, salt water, and refining and manufacturing the same; mining coal, and other minerals and ores, and preparing the same for market, in such form as the said company may deem proper; and the said corporation by the said name is hereby declared and made capable in law to sue and be sued, to plead and be impleaded; to have and use a common seal, and the same to alter at pleasure; to make rules and by-laws for the regulation and management of said corporation, not inconsistent with the laws of this Commonwealth; and generally to do and execute, for the well-being of said company, whatsoever shall lawfully pertain to such bodies-politic: *Provided always*, That nothing contained in this act shall be so construed as to confer or give to said company any banking privileges.

§ 2. That the capital stock of said company shall not exceed one million of dollars; said stock shall be divided into shares of one hundred dollars each, which said shares shall be represented by proper certificates of stock or scrip, and shall be deemed personal property, transferable by assignment or otherwise, as may be provided for in the by-laws of said company.

§ 3. That the said company shall be governed and controlled, and have all the rights, privileges, and powers conferred upon the Cloverport Oil and Coal Company by the following sections, to-wit: sections two, four, five, six, seven, eight, ten, eleven, and twelve of an act, entitled "An act to incorporate the Cloverport Oil and Coal Company," approved December 20, 1861, to the same effect as

if the said several sections were embraced in this act as part thereof.

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§ 4. That this act take effect from its passage.

Approved March 1, 1865.

CHAPTER 1191.

AN ACT to incorporate the Williams Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That George W. Williams, G. W. McAdams, N. C. Davison, Joel C. Jackson, W. S. Thomas, and Hamilton Williams, or any three of them, their associates, successors, and assigns, be, and they are hereby, constituted and created a body-politic and corporate, by the name and style of "The Williams Oil Company;" and by that name and style to have perpetual succession for the purpose of boring for oil, manufacturing and refining oil, mining coal and other minerals, and working, refining, and disposing of the same; and for transacting all the necessary and usual business of companies or individuals in producing, manufacturing, and disposing of such products; and the said corporation, by the said name, is hereby declared and made capable in law to sue and be sued, to plead and be impleaded; to have and use a common seal, and the same to alter at pleasure; to make rules and by-laws for the regulation and management of said corporation, not inconsistent with the laws of this Commonwealth, and generally to do and execute for the well-being of said company whatsoever shall lawfully pertain to such bodies-politic: *Provided always*, That nothing contained in this act shall be so construed as to give or confer upon said company any banking privileges.

§ 2. That the said company shall have all the powers and privileges and rights which are conferred upon "The Cloverport Oil and Coal Company" by sections two, three, four, five, six, seven, eight, ten, eleven, and twelve, of an act, entitled "An act to incorporate the Cloverport Oil and Coal Company," approved December 20, 1861; and shall be in all things, and at all times, governed and controlled in the same manner, and to the same extent, as if the said several sections of the said act were fully copied and embraced in this act.

§ 3. That this act shall take effect from its passage.

Approved March 1, 1865.

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CHAPTER 1192.

AN ACT to incorporate the Buffalo Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That George T. Steadman and A. C. Vandyke, their associates and successors, are hereby incorporated into a company, by the name of the "Buffalo Mining Company," and by that name may sue and be sued, plead and be impleaded, contract and be contracted with, in all courts and places, and may have a common seal, which said company may change or alter at pleasure.

Capital stock.

§ 2. The capital stock of said company shall be one hundred thousand dollars, to be increased by a vote of a majority in interest of the shareholders to three hundred thousand dollars, to be divided into shares of fifty dollars each, and which shall be personal property; any part, or the whole of said stock, may be subscribed in lands, mines, mining rights, or other real estate.

Who to manage affairs of corporation.

President and other officers to be appointed.

Term of office.

Quorum.

May appoint agents.

May make by-laws.

Elections.

How stock voted.

Record of stock, &c., to be kept.

Objects of corporation.

§ 3. The property and affairs of said company shall be managed by not less than two nor more than five directors, to be chosen by a vote by ballot of the shareholders, a majority of which shall be necessary to a choice. A president, and such other officers as the directors may deem necessary, shall be chosen by the directors from among the shareholders or other persons. Said officers shall hold their offices from the election first had to the end of the then current year, and until their successors are qualified. A majority of the directors shall constitute a quorum to do business. The president and directors shall have power to appoint any and all other agents and employes necessary for the company; make and publish all such by-laws, rules, and regulations necessary for the proper conduct and prudential management of the company, not inconsistent with the constitution and laws of this State or of the United States; to appoint the time and place of elections, which shall, after the first, be annual, after public notice, which shall be at least ten days before the election; votes may be cast in person by the shareholder or by written proxy, and each share shall count one vote; to direct the manner of the collection of stock or its forfeiture for non-payment.

§ 4. The company shall keep a book showing the names of the stockholders, the amount of stock held by each, and the amount paid in; also a book showing the proceedings of the said company, except its contracts and accounts with individuals.

§ 5. The objects of said company shall be to mine for coal, iron ore, and other minerals and mineral substances, the boring for oil and other inflammable and volatile fluids, the manufacture of any or all of these articles, and their

transportation to market; the sale, exchange, barter, and disposal of the same; and for this purpose the said company shall have power to acquire, purchase, hold, and dispose of all such lands and real estate, not exceeding ten thousand acres, and all such machinery and personal property necessary for the proper working and operation of the same. •1865.

§ 6. The principal place of business of said company shall be in the county of Greenup; but it may have one or more offices outside of this State. Said company shall not possess any banking powers. Principal office.

§ 7. This act shall be in force from its passage.

Approved March 1, 1865.

CHAPTER 1193.

AN ACT to amend an act, entitled "An act to incorporate the Crab Orchard and Crew's Knob turnpike road company."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That hereafter it shall not be lawful to keep or maintain a gate on the Crab Orchard and Crew's Knob and Wilderness Fork of said road, until two miles and a half of each road has been constructed and received by the Lincoln county court; and that, upon such construction and reception, it shall then be lawful to collect such tolls on said road as are authorized by the act to incorporate said company, approved March 6th, 1860.

§ 2. Any act, or part of an act, heretofore passed by the Legislature, which is in conflict with this act, is hereby repealed.

§ 6. This act to be in force from its passage.

Approved March 1, 1865.

CHAPTER 1194.

AN ACT to incorporate the Davis Coal and Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. R. Davis, John Pearce, George Smith, Edward B. Prentis, Rob't Spaulding, J. R. Jarboe, and W. P. D. Bush, or any three of them, their associates, successors, and assigns, be, and they are hereby, constituted and created a body-politic and corporate, by the name and style of the "Davis Coal and Oil Company," and by that name and style to have perpetual succession, for the purpose of boring for oil and salt-water, and refining and

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manufacturing the same, and mining coal and other minerals and ores, and manufacturing and preparing the same for market in such form as they may deem proper; and the said corporation, by the said name, is hereby declared and made capable in law to sue and be sued, to plead and be impleaded; to have and use a common seal, and the same to alter at pleasure; to make rules and by-laws for the regulation and management of said corporation, not inconsistent with the laws of this Commonwealth; and generally to do and execute, for the well-being of said company, whatsoever shall lawfully pertain to such bodies-politic: *Provided always*, That nothing in this act shall be so construed as to give or confer upon said company any banking privileges whatever.

§ 2. That the capital stock of said company shall not exceed one million of dollars; said stock shall be divided into shares of one hundred dollars each, which said stock, in shares, shall be represented by proper certificates or scrip, and shall be deemed personal property, transferable by assignment or otherwise, as may be provided for in the by-laws of said company.

§ 3. That the said corporation shall be governed and controlled, and have all the rights, privileges, and powers which are conferred by the following sections, to-wit: sections two, four, five, six, seven, eight, ten, eleven, twelve (§ 2, 4, 5, 6, 7, 8, 10, 11, 12) of an act, entitled "An act to incorporate the Cloverport Oil and Coal Company," approved December 20, 1861, to the same effect and extent as if the said several sections were fully copied and embraced in this act as part thereof.

§ 4. That this act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1195.

AN ACT to incorporate the P. D. Petroleum and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. P. D. Bush, G. W. McAdams, G. W. Williams, James E. Stone, R. Y. Bush, George Smith, J. R. Jarboe, and G. W. Taylor, or any three of them, their associates, successors, and assigns, be, and they hereby are, constituted and created a body-politic and corporate, by the name and style of "The P. D. Petroleum and Manufacturing Company," and by that name and style to have perpetual succession, for the purpose of boring for oil and salt water, and refining and manufacturing the same, mining coal and other minerals and ores, and transporting and working and preparing the same for market, in such man-

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ner as the said company may deem proper. And the said corporation, by the said name, is hereby declared and made capable in law to sue and be sued, to plead and be impleaded; to have and use a common seal, and the same to alter at pleasure; to make rules and by-laws for the regulation and management of said company, not inconsistent with the laws of this Commonwealth, and generally to do and execute for the well-being of said company whatsoever shall lawfully pertain to such bodies-politic.

§ 2. That the capital stock of the said company shall not exceed one million of dollars; said stock shall be divided into shares of one hundred dollars each, which said shares shall be represented by proper certificates of stock or scrip, and shall be deemed personal property, transferable by assignment or otherwise, as may be provided for in the by-laws of said company.

§ 3. That the said company shall have all the rights, privileges, and powers, which are conferred upon the Cloverport Oil and Coal Company in sections two, four, five, six, seven, eight, ten, eleven, and twelve (secs. 2, 4, 5, 6, 7, 8, 10, 11, and 12) of an act, entitled "An act to incorporate the Cloverport Oil and Coal Company," approved December 20, 1861, to the same extent and effect as if the said several sections were fully copied and set forth and embraced in this act as part thereof; and the corporation created by this act shall be in all respects governed by the provisions of the several sections aforesaid.

§ 4. That this act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1196.

AN ACT to incorporate the Lewisport Petroleum, Salt, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. P. D. Bush, J. R. Jarboe, W. R. Davis, G. W. Williams, R. Y. Bush, and James E. Stone, or any three of them, their associates, successors, and assigns, be, and they are hereby, constituted and created a body-politic and corporate, by the name and style of the "Lewisport Petroleum, Salt, Mining, and Manufacturing Company," and by that name and style to have perpetual succession, for the purpose of boring for oil and salt, and mining coal and other minerals, and refining and preparing the same as well as the products of the same for market, and disposing of the same and the products thereof, at such places as said company may see proper; and the said corporation, by the said name, is hereby declared and made

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capable of suing and being sued, pleading and being impleaded, in all courts of justice; to have and to use a common seal, and the same to alter at pleasure; to make rules and by-laws for the regulation and management of said corporation, not inconsistent with the laws of this State; and generally to do and execute for the well-being of said company whatsoever shall lawfully pertain to such bodies-politic: *Provided always*, That nothing in this act shall confer on said company any banking privileges.

§ 2. That the capital stock of said company shall be one million of dollars; said stock shall be divided into shares of one hundred dollars each, which said shares shall be represented by proper certificates or scrip, and shall be deemed and held as personal property, transferable by assignment or otherwise, as may be provided for by the by-laws of said company.

§ 3. That the said company shall have all the rights, privileges, and powers which are conferred upon the "Cloverport Oil and Coal Company" in sections two, four, five, six, seven, eight, ten, eleven, and twelve (sections 2, 4, 5, 6, 7, 8, 10, 11, and 12) of an act, entitled "An act to incorporate the Cloverport Oil and Coal Company," approved December 20, 1861, to the same extent as if the said sections were fully copied and embraced in this act as part thereof; and the said company created by this act shall in all things comply with the provisions contained in the several sections aforesaid.

§ 4. That this act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1197.

AN ACT to incorporate the Kentucky River Navigation Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That Philip Swigert and H. I. Todd, of Franklin county; Reuben Ireland and A. Gregg, of Gallatin county; I. N. Webb and S. W. Hunt, of Henry county; William Claxon and J. B. English, of Owen county; N. W. Darling and T. W. Bates, of Carroll county; J. L. McGinnis and John Draffin, of Anderson county; J. V. Munday and R. C. Graves, of Woodford county; Wm. Fisher, N. H. Potts, and M. Brown, of Jessamine county; M. C. Johnson, W. B. Kincade, R. J. Spurr, and R. Rogers, of Fayette county; Rufus Bryant and J. W. Thompson, of Mercer county; Thomas Barbee and Charles Worthington, of Boyle county; George Denny and Charles Spilman, of Garrard county; Col. Wm. Rodes, Charles J. Walker, D.

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Breck, John Stevens, and James H. Embry, of Madison county; A. H. Buckner, John Martin, and Richard G. Bush, of Clarke county; Dr. A. Daniel, E. L. Cockerill, Wm. J. Moore, and A. A. Curtis, of Estill county; John G. McGuire, Samuel Beatty, and R. B. Jamison, of Owsley county; J. T. Boyle, Wm. Kaye, and Geo. Stealey, of Louisville, and their associates, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Kentucky River Navigation Company," with perpetual succession; and by that name may sue and be sued, plead and be impleaded, in all courts and elsewhere, as natural persons; have and use a common seal, which they may change at pleasure; make all necessary by-laws, rules, and regulations for its government not inconsistent with the constitution and laws of the United States or of the State of Kentucky; may hold, by purchase, lease, or rent, real or personal estate necessary or advantageous in the prosecution of their business, and sell or lease the same at pleasure.

§ 2. The business of said company shall be the improvement of the navigation of the Kentucky river and its tributaries, by building additional locks and dams.

Business of corporation.

§ 3. The capital stock of said company shall be one million five hundred thousand dollars, divided into shares of one hundred dollars each; but the company may organize and proceed to business as soon as a subscription of two hundred thousand dollars shall have been obtained. The corporators named in the first section shall fix the times and places for opening books for the subscription of stock. So soon as the sum of two hundred thousand dollars shall have been subscribed, the said corporators may call a meeting of the subscribers for the purpose of electing ten directors of said company. At such meeting each share of stock, upon which the sum of one dollar shall have been paid, shall entitle the holder to one vote; and at all subsequent meetings of the company each stockholder shall be entitled to one vote for each share of stock held by him, upon which all the installments called by the board of directors, as hereinafter provided, have been paid.

Capital stock.

§ 4. The annual meeting of the stockholders shall be held on the first Mondays of May in each year, and in the city of Frankfort; but called meetings may be held at any time, upon a call signed by the directors, or by any number of stockholders representing one fifth (in value) of the stock of said company, two weeks' notice of the time and place of such called meeting having first been given in the newspapers published respectively in the cities of Louisville, Frankfort, and Lexington; but no business shall be transacted at any called meeting, unless a majority (in

Meetings, when and how held.

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Directors, term
of office, &c.

Officers.

Rates of toll.

Stock trans-
ferable.

Calls on stock.

Stock may be
forfeited.
Legal notice.When to get
possession of
other locks &
dams.If rent not
paid, Board of
Internal Imp.
to take posses-
sion.

value) of all the stockholders shall be present thereat in person or by proxy.

§ 5. There shall be ten directors of said company elected at each annual meeting, five of whom shall be a quorum to do business. They shall hold their offices for one year, and until their successors are elected and qualified, unless sooner removed by the stockholders at a called meeting. They shall have power to elect a president, and such subordinate officers as may be required, and fix their compensation and prescribe their duties. They may establish tolls for the transportation of persons and property over the Kentucky river and tributaries, within the influence of their improvements: *Provided*, The same shall in no case exceed the rates established by the Board of Internal Improvement, and in force on the Kentucky river at this time. The directors shall regulate the mode of transferring the stock of said company. They may make calls upon the stock as the business of said company may require it; but such calls shall not exceed ten per cent. on the amount of any subscription for each thirty days. They may provide for a forfeiture of the stock of any subscriber for non-payment of any calls made upon it. The publication, for three weeks, of the calls in any newspaper published respectively in Lexington, Frankfort, and Louisville, shall be legal notice that the calls were made.

§ 6. So soon as the said company shall have completed two locks and dams, they may give notice thereof to the President of the Board of Internal Improvement, who, on being satisfied that the same has been properly built and completed, shall deliver to the said company the possession of all locks and dams heretofore built by the Commonwealth upon the Kentucky river, with all the lock-houses, grounds, buildings, and property attached thereto, and all the tools and materials on hand for the repair of the same; and the said locks and dams, lock-houses, grounds, buildings, tools, and materials, shall thereby be leased to the said company for the term of fifty years; in consideration whereof, said company shall pay into the Treasury of this Commonwealth, for the use of the Sinking Fund thereof, the sum of twenty-five hundred dollars a year, payable into the Treasury semi-annually, on the 1st day of January and 1st day of July. Should the said company at any time fail to pay the same at the time when it is properly due, the President of the Board of Internal Improvement shall enter upon and take possession of all the works of said company, and of the locks and dams already built, and shall hold the same, on behalf of the State, until all arrears of rent are paid: *Provided*, That said company shall return to the State, in good repair, at the expiration of the lease herein granted, all the property

of the State hereby leased, and to secure the same a lien shall exist upon all the property of the said company.

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§ 7. The directors of said company shall make semi-annual dividends of its profits, but not until the improvements contemplated in this act shall have been completed as high up as the mouth of Middle Fork; until the works shall be so completed, the net profits of the company shall be applied to the prosecution of its works.

Dividend.

§ 8. The officers of said company may enter upon any lands contiguous to the Kentucky river, whenever it shall be necessary to do so, in prosecuting their surveys. They may remove any trees on the bank, between high and low water mark, that may be injurious to the navigation. Whenever the possession of any lands or materials may become necessary for the construction of said work, the said company may purchase the same; or, in case of disagreement as to the value thereof, may summon a jury to condemn the same in the manner provided in the Revised Statutes. The said company shall be liable for the overflow of any lands caused by the construction of their works; and the damages for such overflow shall be agreed between the owner of such lands and the company, or may be assessed by a jury summoned in like manner, upon the application of either party. The power to purchase and hold such coal, mineral, and timber lands as may be desirable, is hereby conferred upon said company.

May enter upon lands.

Liable for overflow of lands.

May hold coal lands, &c.

§ 9. That the county courts of the several counties bordering upon the Kentucky river, or interested in its navigation, may, on the application of the corporation named in the first section, or of the directors of said company, after its organization, a majority of all the justices of the peace being present, subscribe stock in said company, and levy a tax on all taxable property of said county sufficient to pay the whole amount of said subscription in three years from the time it was made, which tax shall be collected, in all respects, as taxes for State revenue are now collected.

County court may take stock.

§ 10. The directors may borrow money upon the credit of the company, and may mortgage its franchises and property for its repayment; but any mortgage so executed shall be subject to the prior claim of the Commonwealth for rent, as provided in the sixth section. The indebtedness of the company shall, at no time, exceed the capital subscribed.

May borrow money.

§ 11. If any person or persons navigating the waters of the Kentucky river, or its tributaries, within the influence of the improvements of said company, shall fail or refuse to pay the tolls fixed by the by-laws of said company, as herein authorized, the person or persons so offending shall forfeit and pay, to the use of said company, three times

Penalty for refusing to pay toll.

1865.

Penalty for
making false
manifest.

Penalty for in-
juring works.

When to com-
mence & com-
plete.

the amount of such tolls, to be recovered by civil action in the name of said company. If any officer of a vessel navigating said waters shall knowingly and willfully present, or cause to be presented, to the agents of said company, a false manifest of his passengers, or of the articles composing the cargo of such vessel, with intent thereby to defraud said company, he shall, on conviction thereof, forfeit and pay to the company a sum not exceeding five hundred dollars, to be recovered by civil suit. If any person or persons shall willfully and maliciously injure any of the works constructed by said company, the person or persons so offending shall, on conviction thereof, be fined not less than fifty dollars, nor more than five hundred dollars, and be imprisoned in the discretion of a jury, besides being liable to civil action for any damages that may result from such injury to said company.

§ 12. This act shall take effect from its passage. The works contemplated by this act shall be commenced within four years, and be completed within twelve years from their commencement. In the event the line of improvements shall not be completed in twelve years, that the original five locks shall again revert to the State, and be placed under the control of the Board of Internal Improvement, as heretofore.

Approved March 1, 1865.

CHAPTER 1198.

AN ACT for the benefit of Generva and Nancy R. Jasper, of Spencer county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Moses V. Buckner, guardian for Generva and Nancy R. Jasper, be allowed to use and appropriate one hundred dollars per annum of the funds or means in his hands as guardian, for the education and support of the said Generva and Nancy R. Jasper, out of the principal of the money in his hands; and that he shall have a credit for any such vouchers in any settlement he may make with the county court of said county.

§ 2. This act to take effect from and after its passage.

Approved March 1, 1865.

CHAPTER 1199.

1865.

AN ACT to create a Bounty Fund in the Lockport Precinct in Henry County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it may be lawful for the county judge of Henry county to appoint a commissioner, who may raise a fund in the precinct aforesaid, not exceeding five thousand dollars, as a bounty fund to raise volunteers for the service of the general government.

§ 2. Said commissioner may have power to levy a *per capitation* tax on each person subject to military duty, excepting those hereafter named, of twenty dollars, and also a tax of twenty-five cents on each one hundred dollars of property subject to tax, excepting the property of those exempt from military duty. This tax, per capitation and *ad valorem*, shall be collected by him as the tithe and *ad valorem* taxes of the State are now collected; and he may have the same powers for this purpose that the sheriffs now have for collecting taxes.

§ 3. Before said commissioner enters upon the discharge of his duties, he shall give bond with sufficient security, and take oath for the discharge of his duty before the county judge of the county, on which bond he may be sued by any one aggrieved in the said precinct.

§ 4. The fund arising from the collection of the tax shall be applied, under the direction of the county judge, to obtaining volunteer soldiers to relieve the citizens of the said precinct from the burthens of the draft, if required, and if not, shall be paid back to the various parties that have paid it as they paid it, deducting only expenses of collection.

§ 5. The commissioner shall make settlements annually with the county judge of his accounts, and may have, as compensation for his services, the rates allowed sheriffs for collecting taxes.

§ 6. This law shall not apply to any person who has served two years in the United States army, or who, from any law, is exempt from military duty.

§ 7. This act shall not apply to any one subject to the draft in said district, if he shall have paid to the commissioner the capitation tax of twenty dollars (\$20), on or before the 15th day of March next.

§ 8. This act shall take effect from and after its passage.

Approved March 1, 1865.

1865.

CHAPTER 1200.

AN ACT to raise a Bounty Fund for Anderson County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of the county of Anderson have power to levy a tax on the property in said county subject to taxation, for the purpose of raising a bounty fund to relieve the county of the draft; and that they have power to levy the same and make it collectable the present year. The fund thus raised shall not exceed twelve thousand dollars (\$12,000.)

§ 2. This tax shall be levied upon all the taxable property in the aforesaid county, except as hereinafter provided.

§ 3. Any citizen of said county, liable to be drafted, should his tax not amount to twenty-five dollars, the county court may, in its discretion, levy a tax, which, added to the tax raised by the first section of this act, amounts to twenty-five dollars to each person liable to draft.

§ 4. This tax shall be collected by the same power, and in the same way any other taxes due the State, and under the same liabilities, and pay over to the person or persons appointed by said court to receive it, for which said appointee shall give receipts.

§ 5. The county court shall appoint three discreet persons, who shall apportion the funds raised by the foregoing section of this act, as directed by said court, and be responsible for the same.

§ 6. *Be it further enacted,* That any person who has been drafted during this rebellion, as a citizen of Anderson county, and has furnished a substitute, or has paid the commutation money for his release, or is now in the service, shall, in the discretion of the aforesaid court, be relieved from the payment of the tax aforesaid.

§ 7. *Be it further enacted,* That the county court shall have the lawful right, by themselves or their constituted agent or agents, to borrow the amount raised by this act, at not more than seven per cent. per annum, and execute bond for the same in the name of the aforesaid Anderson county court.

§ 8. This act to be in force from its passage.

Approved March 1, 1865.

CHAPTER 1201.

1865.

AN ACT extending the time for the prosecution of an appeal to the Court of Appeals from the judgment of the Mason circuit court, concerning the probate of the will of William Bradford, deceased.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall and may be lawful for any of the parties to the judgment of the Mason circuit court, in the appeal lately pending in that court from the judgment of the Mason county court, admitting to probate the last will and testament of William Bradford, deceased, and the codicils thereto, to prosecute an appeal to the Court of Appeals from the said judgment of the Mason circuit court, at any time within two years from the rendition of said judgment, any law to the contrary notwithstanding.

§ 2. This act shall take effect from and after its passage.

Approved March 1, 1865.

CHAPTER 1202.

AN ACT to amend the charter of the town of Westport, in Oldham county, Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That from and after the passage of this act, the corporate limits of the town of Westport, Oldham county, Kentucky, shall be the same as are set forth and defined in an act, entitled "An act to vacate a part of the town of Westport, and for other purposes," approved February 12, 1842.

§ 2. The trustees of said town, at any of their regular meetings, may, and they are hereby, invested with power to appoint a marshal for said town, who shall have power to execute the orders of said trustees, and to collect all fines imposed by the by-laws of said corporation. He shall give bond, with security to be approved by said trustees, before entering on the duties of his office, and may be removed by them at pleasure.

Approved March 1, 1865.

CHAPTER 1203.

AN ACT to amend an act, entitled "An act to encourage recruiting in Grant county for the United States army."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act, entitled "An act to encourage recruiting in Grant county for the United States army," be, and

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the same is hereby, so amended as to authorize and empower the Grant county court to levy annually a capitation tax upon each person in said county subject to military duty, not exceeding the sum of ten dollars, for the purpose of raising a bounty fund for recruits for the United States army under the late or any future calls for soldiers by the United States; the said tax to be collected by the same officer, in the same manner, and accounted for in the same manner, as is prescribed by the act to which this is an amendment: *Provided, however,* That all persons in said county who have served in the United States army two years, or who are now in said army, and the widows and infant children of soldiers who have died or been killed in said army, shall not be subject to any tax levied or hereafter to be levied by virtue of this act or the act to which this is an amendment.

§ 2. This act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1205.

AN ACT for the benefit of P. Wherritt, late clerk of the Harrison county court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer in favor of P. Wherritt, late clerk of the Harrison county court, for the sum of one hundred and fifteen dollars and fifty-nine cents, that being the amount overpaid into the Treasury by him in the year 1862.

§ 2. This act to be in force from its passage.

Approved March 1, 1865.

CHAPTER 1206.

AN ACT to close an alley in the town of Newcastle.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the owners of the soil on either side of the alley in the town of Newcastle, situated and lying between the lots of G. T. Humston and M. Murphey, may close the same; and that anything done heretofore in closing said alley is legalized by this act.

§ 2. This act to be in force from its passage.

Approved March 1, 1865.

CHAPTER 1207.

1865.

AN ACT to amend the charter of Shelbyville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That for the purpose of affording protection against thieving gangs of guerrillas, the charter of the town of Shelbyville shall be amended as follows, to-wit: The assessor of the town, under the direction of the trustees, shall enroll the names of every white male citizen over eighteen years of age, who shall, under rules and regulations to be adopted by the trustees, constitute the police guard for said town; and such enrolled citizen shall be on duty not exceeding one night in each week; but in case of an attack being threatened, the chairman of the board of trustees, or such other person as the board may intrust with the command, may call out for the time every enrolled citizen.

§ 2. Any enrolled citizen may, on payment of twenty dollars into the town treasury, be relieved from regular guard duty of one night in each week, but shall not be relieved from service in case of threatened danger.

§ 3. The trustees may, in their discretion, relieve any citizen from duty without payment whose age, infirmity, or poverty render him unfit to serve and unable to pay.

§ 4. The board of trustees may impose a special tax, of not exceeding twenty-five cents on the hundred dollars' worth of taxable property in such town, to be collected in all respects as the revenue of said town is now collected. And the funds arising from this tax, and from the payments made under section two, shall constitute a fund out of which the trustees shall employ a regular standing guard, and for other purposes of defences.

§ 5. The trustees, by their ordinance, shall provide all the details for carrying this law into effect; shall make provision for arms and ammunition; shall fix the fines for failing to be on duty at appointed times, or on call; and all fines under this law shall be enforced and collected as other fines for the breach of the town ordinances.

§ 6. This law shall continue in force only so long as the presence of guerrillas in the country make it necessary.

§ 7. This law shall take effect from its passage.

Approved March 1, 1865.

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CHAPTER 1208.

AN ACT to create an additional Justices' District in Henderson County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all that part of Henderson county embraced within the following boundary, viz: beginning at the White Lick, on Highland creek; thence down the said creek to the bridge near the Todisman farm; thence on a straight line to the Beaver Dam bridge on the Madisonville and Mount Vernon road; thence on a straight line to the Rock Spring on the Madisonville and Henderson road; thence on a straight line to Mrs. Sarah Booke's, including her farm; thence east to the line of the Henderson and Nashville railroad; thence with the said railroad to the line between Henderson and Webster counties; and thence with the said line to the beginning; be, and the same is hereby, laid off and constituted a district for the election of justices of the peace, and a voting precinct.

§ 2. The voting place for said district shall be at the residence of Mrs. P. C. Sutton, on the Madisonville and Henderson road. An election shall be held in said district on the first Saturday in May next for two justices of the peace and a constable; the officers for holding which election shall be appointed as provided by law for similar elections.

§ 3. That immediately after the first election under this act, the Secretary of State shall furnish the justices elected for said district the books allowed them by law.

§ 4. This act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1209.

AN ACT to authorize the Mayor and Council of the City of Henderson to sell the Public Square, and invest the proceeds in the construction of a wharf.

WHEREAS, The mayor and council of the city of Henderson have petitioned this General Assembly for the passage of an act authorizing them to sell the public square in said city, for the purpose of building a wharf therein; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the mayor and council of the city of Henderson be, and they are hereby, authorized and empowered to sell and convey the tract or parcel of ground in the said city of Henderson, known as the "Public Square," situated south of the court-house square, and bounded on the other three sides by Main street, Elm street, and Washington street; the said parcel of ground, for the purpose of sale, may be sub-divided into lots of such size as to the mayor

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and council may deem best, and shall be sold at public auction on the premises, after the sale has been advertised for not less than three weeks in the Henderson Reporter and the Henderson News, the two newspapers published in the said city of Henderson; the conveyance of the said lot or lots of ground to the purchaser or purchasers shall be by deed, signed by the mayor of said city, and countersigned by the clerk of said city, and in all controversies about the title thereto, such deed, or a copy thereof, if duly recorded, shall be *prima facie* evidence that the conditions of this act have been complied with.

§ 2. The money, the proceeds of the sale of said parcel of ground, or so much thereof as may be necessary, shall be applied by the mayor and council to the building and grading of a wharf in said city; and until the same is completed, no part thereof shall be applied to any other purpose; should there be any balance of the said money after completing said wharf, the said balance shall go into the treasury of said city: *Provided*, That this act shall confer no authority upon the said mayor and council until the same shall have been approved by a vote of the majority of the legal voters of said city, at an election called and held for that especial purpose, or by a majority of the legal votes cast at a general election in said city.

§ 3. The mayor and council shall determine, by a resolution entered upon their records, whether such vote shall be taken at a general or special election; and if at a special election, they shall advertise the time and place of holding the same, in the newspapers before named herein, for not less than two weeks prior thereto; and if at a general election, they will advertise in like manner that the said vote will then be taken.

§ 4. The clerk of the election shall open a poll, headed "For the sale of the public square;" and if the votes cast therefor, at a special election, be a majority of all the legal voters of said city, or if the votes cast therefor at a general election be a majority of all the legal votes cast at such election, the mayor and council shall declare the fact by resolution entered on their records; and this act shall be of full force from that date.

Approved March 1, 1865.

CHAPTER 1210.

AN ACT to incorporate the Greenup Deposit Bank.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established a Bank of Deposit in the town of Greenupsburg, with a capital of one

Capital stock,
corporate pow-
ers, &c.

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hundred thousand dollars, in shares of one hundred dollars each, to be subscribed and paid for as hereinafter specified; and the subscribers, their associates, successors, and assigns, shall be a body-politic and corporate, by the name and style of the "Greenup Deposit Bank," and shall so continue for twenty years from its organization; and shall be capable of contracting and being contracting with, of suing and being sued, of impleading and being impleaded, of answering and defending, in all courts and places whatever; it may have a common seal, and change and renew the same at pleasure.

Board of directors.

May receive subscriptions.

Stock personal property, &c.

Commissioners to open books.

Election of directors.

Payment of stock.

§ 2. Said bank shall be under the control and direction of four directors, each of whom shall be stockholders; they shall be residents of this State, and after the first election, shall be elected annually, on the second Monday in January³ in each year, and hold office until their successors are elected and qualified; they shall elect one of their number president, and shall hold regular meetings at such times as may be fixed by the by-laws, and other meetings may be had whenever deemed necessary; and in case of the death or resignation of any director, the vacancy shall be filled by the board of directors. The directors shall have power to receive subscriptions for so many of the shares of the stock of said company remaining unsold as they may, at any time, choose to sell, to declare dividends of the profits arising out of the business, and to appoint such officers, agents, and servants as they may deem necessary to conduct the business of the bank, and pay them such sums as wages and salaries, and take from them such bond to secure the faithful performance of their duties, as they shall think proper and reasonable. The stock shall be deemed personal property, and shall be assignable according to such rules as the board of directors shall, from time to time, establish; but said corporation shall have a lien on the stock to secure any indebtedness by the stockholder.

§ 3. Joseph Pollock, Wm. C. Ireland, and Ed. F. Dulin, are hereby appointed commissioners, any two of whom may open books and receive subscriptions for the capital stock; and when two hundred shares have been subscribed, it shall be their duty to give notice by printed advertisements, and appoint a day for the election of a board of directors, who shall hold their offices until the ensuing annual election. The payment for the shares subscribed shall be made as follows: five dollars on each share at the time of subscribing, and twenty dollars within ten days after the election of the first board of directors, and the residue in installments of twenty-five dollars on each share every thirty days: *Provided*, that after ten thousand dollars shall have been paid, the board of directors shall

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have power to prolong the time for the payment of the residue; and should any of the subscribers fail to pay for their subscriptions of stock, as herein provided, after giving notice to them of their intention of thirty days, the directors may, by resolution entered on their records, forfeit such stock and re-sell the same at such time as they may deem expedient; and all partial payments made on any stock which shall be thus forfeited, shall be held for the benefit of the corporation. Said corporation may commence business as soon as ten thousand dollars shall have been paid in, and the president and directors first elected shall have made oath to the fact of such payment before some judge or justice.

When to commence busin's.

§ 4. Said bank may receive deposits of gold, silver, bank notes, and other notes, which may be lawfully circulating as money, and repay the same, in such manner, at such times, and with such interest, not exceeding the rate of six per cent. per annum, as may be agreed upon with the depositors by special or general contract; may deal in the loaning of money, exchange, promissory notes, and other evidences of debt, take personal and other securities for the payment thereof, and dispose of the latter as may be agreed upon, in all respects as natural persons may do under the common law; and the promissory notes made negotiable and payable at its banking house, or at any bank, and inland bills, which may be discounted by it, shall be, and they are hereby, put upon the footing of foreign bills of exchange, and like remedy may be had thereon, jointly and severally, against the drawers and indorsers.

May receive deposits.

May loan money, &c.

§ 5. The said corporation may acquire, hold, and possess, use, occupy, and enjoy all such real estate, goods, and chattels, as may be convenient for the transaction of its business, or which may be conveyed to it as surety for any debt, or purchased in satisfaction of any debt, judgment, or decree, and sell and convey the same; and they may make such by-laws for their government as they may deem necessary: *Provided*, The same be not contrary to the constitution and laws of this State or of the United States.

May hold real estate.

May make by-laws.

§ 6. It shall be the duty of the president, on the first day of January in each year, to pay into the Treasury fifty cents on each one hundred dollars of stock held and paid for in said institution, which shall be in full of all tax or bonus, and be a part of the sinking fund of this Commonwealth.

State tax.

§ 7. If the cashier, clerks, teller, or other officers, shall appropriate any of the funds of said corporation to his own use, or shall willfully fail to make correct entries, or knowingly make false ones, on the books of the bank, with

Penalty for appropriating funds, making false entries, &c.

1865.

intent to cheat or defraud the corporation, or any other person, or to conceal any improper appropriation of funds, the officer so offending shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of this Commonwealth for a period of not less than two nor more than twenty years.

§ 8. It shall not be lawful for said bank to issue any note or bill to be passed and used as currency.

§ 9. The General Assembly shall have the right to examine the affairs of said corporation, by any committee they may appoint for that purpose.

§ 10. This act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1211.

AN ACT to incorporate the Cræsus Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. J. Porter and Ossian S. Ward, and their successors and assigns, are hereby created a body-politic and corporate, under the name of "Cræsus Oil Company," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts of law and equity, in this Commonwealth and elsewhere; have a common seal, and alter the same at pleasure; may make all necessary by-laws and regulations for the government of said company, not inconsistent with the laws of Kentucky or of the United States.

§ 2. Said company shall have power and authority to appoint any one or more of the members, or other person or persons, to manage control, and direct the business of said company, according to the by-laws, rules, and regulations which may be adopted by said company.

§ 3. The capital stock of said company shall be three hundred thousand dollars, and shall be divided into shares of ten dollars each; which may be subscribed, paid for, and transferred in such manner as said company, in its by-laws, may direct.

§ 4. Said company shall have the power to procure and hold, by lease, purchase, or otherwise, such estate as it may deem necessary and proper for carrying on the business of mining or boring for oil, coal, iron, or other valuable mineral or vegetable substances, and the refining of, or manufacturing from such substances; with the power to build such machinery and other things as may be necessary for the transportation of such products and manufactures.

§ 5. Said company shall have the power to sell and convey all such products, manufactures, and estate; and to borrow money on such terms, and secure the same in such way, as may be prescribed in its by-laws; but no banking privileges are hereby granted to said company.

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§ 6. This act is to take effect from its passage.

Approved March 1, 1865.

CHAPTER 1212.

AN ACT to incorporate the De Soto Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sylvester Johnson and Edward Wilder, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name, style, and title of the "De Soto Oil and Mining Company," and by that name, style, and title are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

Corporators' names, and corporate powers.

§ 2. The capital stock of said company shall be five hundred thousand dollars, with the privilege of increasing the same to one million of dollars, to be divided into shares of twenty-five dollars each; said company may, however, commence operations as soon as thirty thousand dollars of said capital stock shall be subscribed, and fifteen thousand dollars thereof be paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors of said company at such times as may seem to them best.

Capital stock.

When may commence operations.

§ 3. The said company shall have the power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same and other products of lands now owned by them or which may hereafter be owned by them; to purchase, build, and own boats and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights and rights of way as they may deem necessary for the successful prosecution of their business; and the same, or any part thereof, to sell or otherwise dispose of, as the interest of said company may require.

May hold real estate, &c.

Business of corporation.

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Board of directors, president, &c.

Officers to be appointed.

Stock personal estate.

May open books.

May borrow money.

Stock may be forfeited.

§ 4. For conducting the affairs of said company, a board of five directors shall be chosen; said board shall choose one of its number who shall be the president of said company; and said board shall serve for one year, or until their successors shall be elected and qualified. The president and directors shall have power to appoint all officers, agents, and servants under them, and to remove them at pleasure. In all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy.

§ 5. The stock of said company shall be deemed personal estate.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* The stock at no time shall exceed the maximum amount herein named.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow and obtain on loan such sums of money, and on such terms as they may deem expedient, for the use of said company; and to pledge or mortgage all or any part of the estates, improvements, privileges, and assets of said company for the repayment of such sums of money so borrowed, at such times as may be agreed upon.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

§ 9. Said company shall have, possess, and enjoy all rights, powers, privileges, and immunities conferred by law in this State upon any other company chartered for similar purposes.

§ 10. This act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1213.

AN ACT to incorporate the New Haven Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Sylvester Johnson and Edward Wilder, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name, style, and title of the "New Haven Oil and Mining Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish,

and put in execution all such by-laws, ordinances, and regulations, as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

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§ 2. The capital stock of said company shall be five hundred thousand dollars, with the privilege of increasing the same to one million dollars, to be divided into shares of twenty-five dollars each; said company may, however, commence operations as soon as thirty thousand dollars of said capital stock shall be subscribed and fifteen thousand dollars thereof be paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors of said company, at such times as may seem to them best.

Capital stock.

When may
commence
operations.

§ 3. The said company shall have the power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same and other products of lands now owned by them, or which may hereafter be owned by them; to purchase, build, and own boats and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights and rights of way as they may deem necessary for the successful prosecution of their business; and the same, or any part thereof, to sell, or otherwise dispose of, as the interest of said company may require.

May hold real
estate, &c.

Business of
corporation.

§ 4. For conducting the affairs of said company, a board of five directors shall be chosen; said board shall choose one of its number, who shall be the president of said company; and said board shall serve for one year, or until their successors shall be elected and qualified. The president and directors shall have power to appoint all officers, agents, and servants under them, and to remove them at pleasure. In all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy.

Board of direc-
tors, president,
&c.

Officers to be
appointed.

§ 5. The stock of said company shall be deemed personal estate.

Stock personal
estate.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* The stock at no time shall exceed the maximum amount herein named.

May open
books.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow and obtain on loan such sums of money, and on such terms as they may deem expedient, for the use of said company; and to pledge or mortgage all or any part of the estates, improvements, privileges, and assets of said

May borrow
money.

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company for the repayment of such sums of money, and on such terms as they may deem expedient, for the use of said company; and to pledge or mortgage all or any part of the estates, improvements, privileges, and assets of said company for the repayment of such sums of money so borrowed, at such times as may be agreed upon.

Stock may be
forfeited.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholders may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

§ 9. Said company shall have, possess, and enjoy all rights, powers, privileges, and immunities conferred by law in this State upon any other company chartered for similar purposes.

§ 10. This act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1214.

AN ACT to incorporate the Hunting Fork Rock Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That John L. Stewart, Henry W. Fuller, David H. Blaney, Howard M. Handlin, and Wm. H. Thornkike, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, under the name and style of the "Hunting Fork Rock Oil Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to implead and be impleaded, in this Commonwealth and elsewhere, in all the courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

Capital stock.

When to com-
mence oper-
ations.

§ 2. The capital stock of said company shall be five hundred thousand dollars, with the privilege of increasing the same to one million dollars, to be divided into shares of five dollars each; said company may, however, commence operations as soon as thirty thousand dollars of said capital stock is subscribed, and fifteen thousand dollars thereof paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors at such times as may seem to them best.

May hold real
estate.

Business of
corporation.

§ 3. Said company shall have power to negotiate for, purchase, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, mine, and dig for petroleum, salt

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water, coal, iron, lead, and other minerals; and in the manufacture of the same, and other products of lands now owned by them; to purchase, build, and own boats, and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transactions; to hold such mining rights and rights of way as they may deem necessary for the successful prosecution of their business; and the same, or any part thereof, to sell or otherwise dispose of, as the interest of said company may require.

§ 4. For conducting the affairs of said company, a board of five directors shall be chosen; said board shall choose one of its number who shall be the president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The board of directors shall have power to appoint all officers and agents under them, and remove them at pleasure. In all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy.

Board of directors, president, &c.

Officers to be appointed.

§ 5. The stock of said company shall be deemed personal estate.

Stock personal estate.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the stock of said company shall at no time exceed the maximum amount herein named.

May open books.

§ 7. That it shall be lawful for the president and directors, from time to time, and at all times, to borrow or obtain on loan such sums of money, and on such terms as they may deem expedient, for the use of said company; and to pledge or mortgage all or any part of the improvements, estates, privileges, and effects of said company for the repayment of said sums of money so borrowed, at such times as may be agreed upon.

May borrow money.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or if they so elect, may sue for and recover the same.

Stock may be forfeited.

§ 9. Said company shall have, possess, and enjoy all rights, powers, and privileges conferred by law in this State on any other corporation chartered for similar purposes.

§ 10. This act to take effect from its passage.

Approved March 1, 1865.

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CHAPTER 1215.

AN ACT to incorporate the Germantown Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. A. Kackley, C. S. Savage, F. A. Savage, Thurman Pollock, and P. H. Clayton, and their associates, successors, or assigns, are hereby created a body-politic and corporate, by name and style of the Germantown Petroleum Company, and by that name have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in courts and places; may use a common seal, and change the same at pleasure; and also ordain and establish and put into execution any and all by-laws, rules and regulations, they may deem proper to establish, from time to time, for the management and government of the concerns of said company, not inconsistent with this charter, laws of this State, or of the United States.

§ 2. That said company shall have power to appoint any one or more of its members, or other persons, to manage and control the business of said company according to the rules, by-laws, and regulations of said company.

§ 3. The business of said company may be for prospecting and boring for petroleum or rock oil, and manufacturing the same, or for mining or procuring minerals of all descriptions that may be found on their lands or those which they work, by lease or otherwise, and for that purpose they may, at any time, purchase, receive, lease, rent, hold, enjoy, and sell, and convey real estate, minerals, boats, mining and boring privileges, and rights of way; and erect suitable buildings, boats, depots, and fixtures; and the signatures of the president and secretary shall be sufficient to convey, by any lease or assignment, any real estate of said company; and the personalty and stocks may be sold by the agent of said company or otherwise, as the by-laws of said company may prescribe.

§ 4. That the capital stock shall not exceed five hundred thousand dollars; shall be subscribed for, divided into shares, and paid in at such time and manner, and certificates of stocks shall be issued, as the by-laws of said company may prescribe; and the stock shall be regarded as personal estate, and shall be transferred on the books of said company in person or by attorney; but the company shall have lien on the stock of any and all stockholders for any debt he or they may owe to said company.

§ 5. That the said company shall cause a book to be opened, and kept subject at all times to the inspection of any of the members, shall contain the names of the members of said company, the amount of stock held by each; and each member shall share the profits, and be liable for

the losses of said company to the extent of, and in proportion to the amount of capital stock held by him in said company.

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§ 6. That the said company may, by its agent, officers, or assigns, apply to the proper authority and procure the right of way from any oil wells, mines, or lands, owned, leased, or otherwise held by said company in the State of Kentucky, to a public highway, in the same manner that individuals may do under existing laws of the State.

§ 7. That this company may have power to create sub-companies for the purpose of prospecting, boring, or mining on any of the lands held by said company; which companies may have all the powers and privileges granted in this charter for the particular business for which said company was formed.

Approved March 1, 1865.

CHAPTER 1216.

AN ACT to incorporate the Widow's Cruise Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That S. H. Woodring, Wm. H. Chelf, Ossian T. Ward, and J. J. Porter, and their successors and assigns, are hereby created a body-politic and corporate, under the name of "Widow's Cruise Oil Company," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts of law and equity, in this Commonwealth and elsewhere; may make all necessary by-laws and regulations for the government of said company, not inconsistent with the laws of Kentucky or of the United States; may have a common seal and alter the same at pleasure.

§ 2. Said company shall have the power and authority to appoint any one or more of its members or other person or persons to manage, control, and direct the business of said company according to the by-laws, rules, and regulations which may be adopted by said company.

§ 3. The capital stock of said company shall be two hundred thousand dollars, and may be increased to any sum not exceeding five hundred thousand dollars, and shall be divided into shares of ten dollars each, which may be subscribed, paid for, and transferred in such manner as said company in its by-laws may direct.

§ 4. Said company shall have the power to procure, and hold by lease, purchase, or otherwise, such estate in Kentucky as it may deem necessary and proper for carrying on the business of mining or boring for oil, coal, iron, or

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other valuable mineral or vegetable substances, and the refining of, or manufacturing from such substances, with the power to build such machinery and other things as may be necessary for the transportation of such substances, products, and manufactures.

§ 5. Said company shall have the power to sell and convey all such products, manufactures, and estate; and to borrow money on such terms, and secure the same in such way as may be prescribed in its by-laws; but no banking privileges are hereby granted to said company.

§ 6. This act is to take effect from its passage.

Approved March 1, 1865.

CHAPTER 1217.

AN ACT to incorporate the Rolling Fork Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That Silvester Johnson, Edward Wilder, their associates, successors, and assigns, be, and they are hereby, constituted a body-corporate and politic, by the name and style of the "Rolling Fork Oil and Mining Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

Capital stock.

When to com-
mence oper-
ations.

§ 2. The capital stock of said company shall be five hundred thousand dollars, and may be increased to one million dollars, to be divided into shares of twenty-five dollars each; said company, however, may commence operations as soon as fifteen thousand dollars of the capital stock shall be subscribed and paid in, and the remaining portion of said capital stock may be issued and sold by the board of directors of said company at such times as may seem to them best.

May hold real
estate.

Business of
corporation.

§ 3. The said company shall have the power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: To explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same, and other products of lands now owned by them, or which may hereafter be owned by them; to purchase, build, and own boats and other necessary implements and machinery for carrying on said business; to erect all necessary buildings

for its transaction ; to hold such mining rights and rights of way and real estate as they may deem necessary for the successful prosecution of their business ; and the same, or any part thereof, to sell or otherwise to dispose of as the interest of said company may require.

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§ 4. For conducting the affairs of said company a board of five directors shall be chosen ; said board shall choose one of its members, who shall be president of said company, and said board shall serve for one year, or until their successors are elected and qualified. The president and directors shall have power to appoint all officers, agents, and servants under them, and to remove them at pleasure ; in all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy.

Board of directors, president, &c.

Officers to be appointed.

§ 5. The stock of said company shall be deemed personal estate.

Stock personal estate.

§ 6. Books for the subscription of stock may be opened at any time and place and closed again at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

May open books.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow or obtain on loans such sums of money, and on such terms as they may deem expedient for the use of said company, and to pledge or mortgage all or any part of the estates, improvements, privileges, effects, and assets of said company for the repayment of said sums of money so borrowed, at such times as may be agreed upon.

May borrow money.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

Stock may be forfeited.

§ 9. Said company shall have, possess, and enjoy all rights, powers, and privileges and immunities conferred by law in this State upon any other company chartered for similar purposes.

§ 10. This act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1218.

AN ACT to incorporate the Baden Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sylvester Johnson, Edward Wilder, their associates, successors, and assigns, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Baden Oil and Mining Company," and by that name and style are hereby made as capable in law as

Corporators' names, and corporate powers.

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natural persons to contract and be contracted with, sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

Capital stock.

When to commence operations.

§ 2. The capital stock of said company shall be five hundred thousand dollars, and may be increased to one million of dollars, to be divided into shares of twenty-five dollars each; said company, however, may commence operations as soon as fifteen thousand dollars of the capital stock shall be subscribed and paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors of said company at such times as may seem to them best.

May hold real estate.

Business of corporation.

§ 3. The said company shall have the power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same, and other products of lands now owned by them or which may hereafter be owned by them; to purchase, build, and own boats and all other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights, and rights of way and real estate, as they may deem necessary for the successful prosecution of their business; and the same, or any part thereof, to sell or otherwise to dispose of, as the interest of said company may require.

Board of directors, president, &c.

Officers to be appointed.

§ 4. For conducting the affairs of said company, a board of five directors shall be chosen; said board shall choose one of its members who shall be president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The president and directors shall have power to appoint all officers, agents, and servants under them, and to remove them at pleasure. In all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy.

Stock personal estate.

§ 5. The stock of said company shall be deemed personal estate.

May open books.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

May borrow money.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow or obtain on loans such sums of money, and on such terms as they may deem expedient, for the use of said

company; and to pledge or mortgage all or any part of the estates, improvements, privileges, effects, and assets of said company for the repayment of said sums of money so borrowed, at such times as may be agreed upon.

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§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

Stock may be forfeited.

§ 9. Said company shall have, possess, and enjoy all rights, powers, and privileges, and immunities conferred by law in this State upon any other company chartered for similar purposes.

§ 10. This act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1219.

AN ACT to incorporate the Central Kentucky Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. J. Porter, Ossian T. Ward, S. H. Woodring, and Wm. H. Chelf, and their successors and assigns, are hereby created a body politic and corporate, under the name of Central Kentucky Oil Company, and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts of law and equity, in this Commonwealth and elsewhere; have a common seal and alter the same at pleasure; may make all necessary by-laws and regulations for the government of said company, not inconsistent with the laws of Kentucky or of the United States.

§ 2. Said company shall have power and authority to appoint any one or more of its members, or other person or persons, to manage, control, and direct the business of said company according to the by-laws, rules, and regulations which may, from time to time, be adopted by said company.

§ 3. The capital stock of said company shall be three hundred thousand dollars, and shall be divided into shares of ten dollars each, which may be subscribed, paid for, and transferred in such manner as said company in its by-laws may direct.

§ 4. Said company shall have the power to procure and hold by lease, purchase, or otherwise, such estate in Kentucky as it may deem necessary and proper for carrying on the business of mining or boring for oil, coal, iron, or

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other valuable mineral or vegetable substances, and the refining of or manufacturing from such substances, with the power to build such machinery and other things as may be necessary for the transportation of such products and manufactures.

§ 5. Said company shall have the power to sell and convey all such products, manufactures, and estate. and to borrow money on such terms, and secure the same in such way as may be prescribed in its by-laws; but no banking privileges are hereby granted to said company.

§ 6. This act is to take effect from its passage.

Approved March 1, 1865.

CHAPTER 1220.

AN ACT to incorporate the Buckner Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That George R. Buckner, Russell G. Cole, S. H. Woodring, and Ossian T. Ward, with their associates, successors, and assigns, be, and they are hereby, created a body-politic and corporate, by the name of the "Buckner Oil and Mining Company of Kentucky," and by that name and style made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to make, have, and use a common seal; to have the power to make such by-laws and regulations as shall be necessary for the well-being and prosecution of the business of said company, not contrary to the laws of this Commonwealth or of the United States.

Capital stock.

§ 2. That the capital stock of said company shall be one hundred thousand dollars, with the power to increase the same to any sum not exceeding five hundred thousand dollars, to be divided into shares of twenty-five dollars each.

May hold real
estate.

Business of
corporation.

§ 3. That said company shall have the power to purchase, negotiate for, lease, and hold as much real estate as they may deem necessary for the successful prosecution of their business; to engage in mining, boring, and excavating for oil, coal, iron, salt, and other minerals and volatile substances, and in the manufacture of iron, salt, and other products of lands now owned by or leased to them, or may hereafter be owned by or leased to them; to purchase, build, and own boats or either, vehicles of conveyance, and other necessary implements, machinery, or stock for carrying on their business; to erect all necessary buildings for its transaction; to hold such mining and

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boring rights and rights of way, and such real estate and leases thereon, as they may deem necessary for the successful prosecution of their business, and the right to construct all roads, plank roads, and railroads; and to build and manufacture engines, cars, and machinery, tools, lumber, &c.; also, to use, occupy, lease, let, sell, or dispose of any property owned by or leased to them, or that may hereafter be owned by or purchased by or leased to them, or any portion of the same, as they may deem best or their interest may require.

§ 4. That the said George R. Buckner, Russell G. Cole, S. H. Woodring, and Ossian T. Ward, with their associates, shall have power to organize said company by the appointment of a president, directors, and such other officers as they may deem necessary, at such time and place as they may designate by notice previously given; and when thus organized, they and their successors shall exercise the power herein granted said company for the control and management of its business.

President, directors, & other officers to be appointed.

§ 5. This act shall take effect from its passage; and as soon as an amount is subscribed and paid in money or otherwise, as may, in the judgment of the president and directors, be sufficient, said company may proceed to do business at any time thereafter, in such manner as the said company may provide by their by-laws, and dispose of the remaining stock; and in general this company shall have, possess, and enjoy all the powers, rights, privileges, and immunities heretofore granted, or may be conferred this session of the General Assembly by law in this State upon any other company chartered for similar purposes; but this act shall not be construed to infringe on the rights and privileges of any other oil, coal, iron, or salt company, or to confer banking privileges on this company.

When to commence operations.

Approved March 1, 1865.

CHAPTER 1221.

AN ACT to incorporate the Willis Green Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That L. Green, Allen Wilson, and A. W. Wilkerson, and their associates and successors or assigns, be, and they are hereby, constituted a body-corporate and politic, by the name and style of the "Willis Green Oil, Mining, and Manufacturing Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and else-

Corporators names, and corporate powers.

1865.

where, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

Capital stock. § 2. The capital stock of said company shall be five hundred thousand dollars, and may be increased to one million dollars, to be divided into shares of twenty-five dollars each; said company, however, may commence operation as soon as fifteen thousand dollars of the capital stock shall be subscribed and paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors of said company at such times as may seem to them best.

When to commence operations.

May hold lands

Business of corporation.

§ 3. The said company shall have the power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and all other minerals, and in the manufacturing of the same and other products of land now owned by them, or which may hereafter be owned by them; to purchase, build, and own boats and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transactions; to hold such mining rights and rights of way and real estate as they may deem necessary for the successful prosecution of their business; and the same, or any part thereof, to sell or otherwise to dispose of as the interest of said company may require.

Board of directors, president, &c.

Officers to be appointed.

§ 4. For conducting the affairs of said company a board of five directors shall be chosen; said board shall choose one of its members who shall be president of said company, and said board shall serve for one year, or until their successors are elected and qualified; the president and directors shall have power to appoint all inferior officers, agents, and servants under them, and to remove them at pleasure. In all elections each share shall entitle the holder to one vote, and stockholders may vote by written proxy.

Stock personal estate.

§ 5. The stock of said company shall be deemed personal estate.

May open books.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

May borrow money.

§ 7. That it shall be lawful for the president and directors of said company, from time to time and at all times, to borrow or obtain on loans such sums of money, and on such terms as they may deem expedient for the use of said company, and to pledge or mortgage all or any part of the

estate, improvements, privileges, effects, and assets of said company, for the repayment of said sums of money so borrowed, at such times as may be agreed upon.

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§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover such amount as remains unpaid on the same.

Stock may be
forfeited.

§ 9. Said company shall have, possess, and enjoy all rights, powers, and privileges, and immunities conferred by law in this State upon any other company chartered for similar purposes.

§ 10. This act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1222.

AN ACT to incorporate the Sherman Coal, Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That John L. Scott, Judge James Simpson, David S. Goodloe, and their associates and successors, be, and they are hereby, created a body-politic and corporate, under and by the name of "Sherman Coal, Oil, Mining, and Manufacturing Company," and under and by that name the said company shall have power to contract and be contracted with, sue and be sued, plead and be impleaded, in all the courts of competent jurisdiction in this Commonwealth, with full power and authority to themselves, their associates and successors, to acquire and hold, possess and enjoy, use, lease, pledge, mortgage, and occupy such lands, leases, rents, tenements, bonds, notes, bills, chattels, properties, and effects, not exceeding in value one million of dollars, as they may desire, for the purpose of organizing, conducting, and extending the business of excavating, boring, and mining petroleum, coal, oil, and other mineral and volatile substances, and manufacturing and converting the same into merchantable articles, and selling and disposing of the same in such manner as to them may seem best; and the said company may erect and construct upon any lands held under the provisions of this charter such machinery, establishments, works, roads, railways, and canals as may be necessary for the use or development of any of its properties, rights, and franchises, and for the transportation of any of the same to market: *Provided*, That no public highway or water-course shall be obstructed thereby: *And provided further*, That no private property shall be appropriated by, or held to the use of

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said company, without first obtaining the consent of the owner or owners thereof.

§ 2. Said company may sell, lease, mortgage, pledge, any and all of its real or personal estate, at such time and under such regulations as it may appoint; the said company may have and use a common seal, and break, alter, or renew the same at pleasure; and the said company shall have full power to make such by-laws, rules, and regulations as may be deemed proper for conducting its affairs, provided the same be not in conflict with the Constitution and laws of the United States or the State of Kentucky.

§ 3. The company shall elect such officers as the members thereof may think proper, at such time as may be deemed advisable, and such officers shall perform such duties, and receive such compensation therefor, and serve for such length of time, as the by-laws or regulations may prescribe; and said company may also appoint such person or persons, whether members thereof or not, as may be deemed proper, to manage and conduct any or all of the business thereof.

§ 4. The capital stock of said company shall not exceed one million of dollars, and shall be divided into shares of one hundred dollars each, which shall be subscribed and paid for in such manner and upon such terms as the company may prescribe.

§ 5. Should any subscriber for stock in said company fail to pay the amount subscribed by him according to the terms of the subscription, within thirty days after the same shall be due, then and in that case the stock of such delinquent may be declared forfeited to the use of the company, together with all previous partial payments made on said stock; and as a further penalty, said delinquent may be sued and the amount due recovered for the benefit of the company.

§ 6. The said company may be organized at any time after the passage of this charter; this charter is perpetual; and when so organized may open a book and receive subscriptions for stock upon such terms as may be directed in the rules or by-laws of the same: *Provided, however,* The stock book shall be subject to the inspection of any officer, member, or stockholder, at all times.

§ 7. No stockholder herein shall be individually liable for the debts or liabilities of the company beyond the proportion that the stock owned by him shall bear to all the stock of the company; and this entire act shall be in force from its passage.

Approved March 1, 1865.

CHAPTER 1223.

1865.

AN ACT to incorporate the Haynes Rock Creek Oil Company

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That H. Haynes, Nelson Yocum, J. B. Bartlett, and their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, under the name and style of the "Haynes Rock Creek Oil Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to implead and be impleaded, in this Commonwealth and elsewhere, in all the courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations, as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

Corporators' names, and corporate powers.

§ 2. The capital stock of said company shall be five hundred thousand dollars, with the privilege of increasing the same to one million dollars, to be divided into shares of five dollars each. Said company may, however, commence operations as soon as thirty thousand dollars of said capital stock is subscribed, and fifteen thousand dollars thereof be paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors, at such times as may seem to them best.

Capital stock.

When to commence operations.

§ 3. Said company shall have power to negotiate for, purchase, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals; and in the manufacture of the same and other products of lands now owned by them, or which may hereafter be owned by them; to purchase, build, and own boats and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights and rights of way as they may deem necessary for the successful prosecution of their business; and the same, or any part thereof, to sell or otherwise dispose of, as the interest of said company may require.

May hold real estate.

Business of corporation.

§ 4. For conducting the affairs of said company, a board of five directors shall be chosen; said board shall choose one of its number who shall be the president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The board of directors shall have power to appoint all officers and agents under them, and remove them at pleasure. In all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy.

Board of directors, president, &c.

Officers to be appointed.

§ 5. The stock of said company shall be deemed personal estate.

Stock personal estate.

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May open
books.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the stock of said company shall, at no time, exceed the maximum amount herein named.

May borrow
money.

§ 7. That it shall be lawful for the president and directors, from time to time and at all times, to borrow or obtain on loan such sums of money and on such terms as they may deem expedient, for the use of said company, and to pledge or mortgage all or any part of the improvements, estates, privileges, and effects of said company for the repayment of said sums of money so borrowed, at such times as may be agreed upon.

Stock may be
forfeited.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or, if they so elect, may sue for and recover the same.

§ 9. Said company shall have, possess, and enjoy all rights, powers, and privileges, conferred by law in this State on any other corporation chartered for similar purposes.

§ 10. This act to take effect from its passage.

Approved March 1, 1865.

CHAPTER 1224.

AN ACT to incorporate the Kentucky Oil and Mineral Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That Sylvester Johnson and Edward Wilder, their associates, successors, and assigns, be, and they are hereby, constituted a body-corporate and politic, by the name, style, and title of the "Kentucky Oil and Mineral Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

Capital stock.

When to com-
mence oper-
tions.

§ 2. The capital stock of said company shall be five hundred thousand dollars, with the privilege of increasing the same to one million dollars, to be divided into shares of twenty-five dollars each; said company may, however, commence operations as soon as thirty thousand dollars of said capital stock shall be subscribed, and fifteen thousand dollars thereof be paid in; and the remaining portion of

said capital stock may be issued and sold by the board of directors of said company at such times as may seem to them best. 1865.

§ 3. The said company shall have the power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same and other products of lands now owned by them, or which may hereafter be owned by them; to purchase, build, and own boats and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights and rights of way as they may deem necessary for the successful prosecution of their business; and the same, or any part thereof, to sell or otherwise dispose of as the interest of said company may require.

May hold real estate.

Business of corporation.

§ 4. For conducting the affairs of said company, a board of five directors shall be chosen; said board shall choose one of its number who shall be the president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The president and directors shall have power to appoint all officers, agents, and servants under them, and to remove them at pleasure. That in all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy.

Board of directors, president, &c.

§ 5. The stock of said company shall be deemed personal estate.

Stock personal estate.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* The stock at no time shall exceed the maximum amount herein named.

May open books.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow and obtain on loan such sums of money, and on such terms as they may deem expedient, for the use of said company; and to pledge or mortgage all or any part of the estates, improvements, privileges, and assets of said company for the repayment of such sums of money so borrowed, at such times as may be agreed upon.

May borrow money.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

Stock may be forfeited.

§ 9. Said company shall have, possess, and enjoy all rights, powers, privileges, and immunities conferred by

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law in this State upon any other company chartered for similar purposes.

§ 10. This act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1225.

AN ACT to incorporate the Dry Run Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That George F. Tyler, John Donaldson, and Chas. F. Shoener, and E. Borda, with others now engaged with them, and such others, their associates, as may hereafter become stockholders in said corporation, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Dry Run Oil Company," and by that name and style may contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered, in all courts of this Commonwealth and elsewhere, and do all other acts and things which natural persons may.

Capital stock.

§ 2. The capital stock of said corporation shall be two hundred and fifty thousand dollars, divided into fifty thousand shares of five dollars each; and certificates of stock shall be issued by said corporation to such as may become entitled thereto, which shall be transferable by the holder in such manner and form as the directors of said corporation may by their by-laws direct; and the mode and manner of transfer adopted shall be stated on the certificate.

Business of corporation.

§ 3. The object and business of the corporation being to discover, by boring and mining and otherwise, oil wells or springs, and deposits of petroleum or rock oil, in Meade county, Kentucky, and elsewhere, and to obtain, procure, and dispose of the product of such discoveries thereof as they may make; for the purpose of prosecuting and carrying on their business aforesaid, said corporation is authorized hereby to purchase and hold as much land as they deem proper for that purpose, not exceeding in value the sum of five hundred thousand dollars; and to make and erect thereon such buildings and other improvements as they deem proper.

Commissioners to open books; when and how.

§ 4. Said George F. Tyler, John Donaldson, Charles F. Shoener, and E. Borda, or any two of them, are hereby appointed commissioners to open subscription books for stock in said corporation, at such place in the city of Louisville, Kentucky, and at such place in the city of Philadelphia, Pennsylvania, and at such place or places in any other city or cities, town or towns, in the United States, or any one of said cities or towns, as they may choose to desig-

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nate by advertisement in a public newspaper published at said cities or towns, or any of them, where said books may be opened for ten days before the day fixed for opening said books; and on the day, and at the place fixed in said advertisement, said commissioners, by themselves or their lawfully authorized agents, shall cause said books to be opened for subscription to said stock, and kept open for at least one day, unless all the stock shall have been sooner subscribed; and should the stock not be all subscribed at the first opening, they may, after like advertisement, from time to time, again open them for subscriptions, until the stock shall have been taken; and said commissioners shall require at the time of subscription that a deposit be made by each subscriber of at least fifty cents on each share of stock for which he subscribed.

§ 5. Said commissioners, or any two of them, after said books are closed, if they find that as much as five thousand shares of said stock have been subscribed for and the deposit thereon paid up, may, at any time thereafter, call a meeting of stockholders of said corporation, for the purpose of organizing the same under this charter, by advertising the time and place for such meeting for at least twenty days in some newspaper published in the city of Louisville, Kentucky, and in some newspaper published in each city or town where such subscription books may be opened.

Meeting of stockholders.

§ 6. Said meeting of stockholders may elect directors to manage the affairs of said corporation for one year from the date of said election, who shall hold their offices as directors for one year and until their successors shall have been elected; the directors so elected shall not be less than five nor more than eleven in number; but the stockholders may, at any general meeting thereafter, increase or diminish the number of directors then elected: *Provided*, That the number of directors is not increased to more than eleven, nor diminished to less than five.

Board of directors.

§ 7. No one shall be eligible to the office of director unless he is the holder of at least one hundred shares of stock; nor shall any, who is not the holder of at least ten shares of stock, be entitled to vote at any meeting of stockholders.

Eligibility of directors.

§ 8. Stockholders shall be entitled to one vote for each ten shares of stock held by them in their own right or as trustees for others; and absent stockholders may, by writing signed by them and attested by a witness, authorize any other stockholder, who is not a director of the corporation, to cast the votes they would be entitled to cast if present.

How stock voted.

§ 9. The property, effects, and business of the corporation shall be under the control and management of the di-

Board of directors, president, &c.

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rectors; and said directors, at their first meeting after election, shall elect one of their number as president, who shall perform such duties as may be required of him by the by-laws of the corporation; and, in addition, such other duties as the directors may specially, by orders entered on the minutes of the board, devolve on him; and his compensation for services shall be fixed by the directors.

Officers and
agents to be ap-
pointed.

§ 10. The board of directors shall appoint such other officers and agents as they deem proper for carrying on the business of the corporation, and define their duties either by the by-laws or by special orders on the minutes of the board, and shall fix the salaries, pay, or compensation of such officers and agents; and it shall be the duty of said directors, on making such appointments, to require of, and take from each officer and agent, a bond to said corporation in sufficient penalty, and with good security, conditioned for the faithful discharge of the duties devolved or which may be devolved on him as such officer or agent.

May make by-
laws.

§ 11. It shall be the duty of the directors first elected to adopt and publish a code of by-laws, not inconsistent with the provisions of this charter or the laws of Kentucky or of the United States, as soon after their organization as it may be conveniently done, for the government of this corporation.

Record of pro-
ceedings to be
kept, &c.

§ 12. It shall be the duty of the directors to keep a careful record, in well-bound books, of all their proceedings; and to have kept a careful and accurate account of all the business of the corporation, and of all moneys received, when and how, and from what sources received, and of all moneys expended, when, how, and for what purpose paid out or expended; and to make out and exhibit to every general meeting of stockholders a full and accurate report of said moneys received and expended, and of all transactions since the last preceding report, and also a statement showing all the assets of the corporation and the general results of its operations up to the date of each report.

May declare
dividends.

§ 13. It shall also be the duty of the directors, after setting aside from the profits of the corporation an amount sufficient to cover existing liabilities and to meet probable expenses necessary to be incurred during the succeeding three months, to declare and pay to the stockholders as often as once in each year from and after the 1st day of July, 1865, and oftener if it may be judiciously done, such dividends on stock as the profits may enable them to pay.

Directors not to
receive salary.

§ 14. Said directors, excepting the president, shall not be allowed any compensation for services rendered in that capacity, nor shall any of them (excepting the one selected

as president) be appointed to fill any office or agency of the corporation, for the discharge of the duties of which any pay or compensation is or may be allowed.

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§ 15. The directors may, at any time they deem necessary, call general meetings of the stockholders at such time and place as they may designate, by advertisement for at least thirty days in a public newspaper published at the place where their office is located, or by special notice in writing, sent by mail to the place of residence of each stockholder entitled to vote, in time to give thirty day's notice of such meeting; and it shall be their duty to call such meeting by advertisement for at least twenty days, to be held at least two weeks before the expiration of the time for which they were elected directors.

Called meetings—how and when.

§ 16. If a vacancy should occur in the presidency or the board of directors, by death, resignation, or otherwise, during the term, the remaining members may fill the vacancy by election of a person who is eligible to the position.

Vacancies.

§ 17. Stockholders, representing not less than one fifth of the stock subscribed, shall have the power to call general meetings of the stockholders at the place of the principal office of the corporation, by advertisement in some public newspaper published at that place, or by written notices sent to each stockholder entitled to vote, twenty days before the day fixed for the meeting; and if the stockholders attending such meeting so called represent more than one half the stock subscribed, the action of such meeting shall be binding on the corporation, its officers and agents, and also its directors.

General meetings—how and when.

§ 18. The by-laws of the corporation, when adopted, shall govern the same until set aside or changed by the stockholders at a general meeting; but any general meeting of stockholders may change, modify, or set aside any of the by-laws and make and adopt others, not inconsistent with the provisions of this charter, or the laws of this State or of the United States.

By-laws to govern.

§ 19. The principal office of said corporation may be located at such place as the first general meeting of stockholders may select, but may be changed by any subsequent meeting to such place as they may designate.

Principal office.

§ 20. The business of this corporation may be wound up, and its effects and assets divided among the stockholders, in such manner and at such times as those representing more than one half of the stock shall, at any general meeting of stockholders, agree upon, due regard being had in the distribution to the rights of each and every stockholder in the assets of the corporation.

May wind up business.

§ 21. This act shall take effect from its passage.

Approved March 1, 1865.

1865.

CHAPTER 1226.

AN ACT to incorporate the Fuller Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That H. W. Fuller, Jno. Lowell, and John L. Stewart, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, under the name and style of the "Fuller Oil Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to implead and be impleaded, in this Commonwealth and elsewhere, in all the courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

Capital stock.

When to commence operations.

§ 2. The capital stock of said company shall be five hundred thousand dollars, with the privilege of increasing the same to one million dollars, to be divided into shares of five dollars each. Said company may, however, commence operations as soon as thirty thousand dollars of said capital stock is subscribed and fifteen thousand dollars thereof be paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors, at such times as may seem to them best.

May hold real estate.

Business of corporation.

§ 3. Said company shall have power to negotiate for, purchase, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same, and other products of lands now owned by them, or which may hereafter be owned by them; to purchase, build, and own boats; and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights and rights of way as they may deem necessary for the successful prosecution of their business, and the same, or any part thereof, to sell or otherwise dispose of, as the interest of said company may require.

Board of directors, president, &c.

§ 4. For conducting the affairs of said company, a board of five directors shall be chosen; said board shall choose one of its number who shall be the president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The board of directors shall have power to appoint all officers and agents under them, and remove them at pleasure. In all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy.

§ 5. The stock of said company shall be deemed personal estate.

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§ 6. Books for the subscription of stock may be opened at any time and place and closed again at pleasure: *Provided, however,* That the stock of said company shall at no time exceed the maximum amount herein named.

Stock personal estate.
May open books.

§ 7. That it shall be lawful for the president and directors, from time to time, and at all times, to borrow or obtain on loan such sums of money, and on such terms as they may deem expedient, for the use of said company; and to pledge or mortgage all or any part of the improvements, estates, privileges, and effects of said company for the repayment of said sums of money so borrowed, at such times as may be agreed upon.

May borrow money.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or, if they so elect, may sue for and recover the same.

Stock may be forfeited.

§ 9. Said company shall have, possess, and enjoy all rights, powers, and privileges conferred by law in this State on any other corporation chartered for similar purposes.

§ 10. This act to take effect from its passage.

Approved March 1, 1865.

CHAPTER 1227.

AN ACT to prevent the destruction of fish in Rockcastle river and tributaries.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any person or persons hereafter guilty of seining or netting for fish in Rockcastle river, or Roundstone, Renfroes, or Crooked creeks, or any of said streams, shall be guilty of a misdemeanor, and shall be fined, upon conviction before any justice of the peace or county judge having cognizance, in any sum not exceeding twenty dollars; to be collected and accounted for and paid into the treasury of the county in which the offense was committed.

§ 2. If a slave shall be convicted or found guilty of a violation of this act, he shall be punished by any number of stripes, not exceeding thirty-nine.

§ 3. This act to take effect from its passage.

Approved March 1, 1865.

1865.

CHAPTER 1229.

AN ACT to raise a Fund to build a Court-house in Larue County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the county court for Larue county, a majority of the justices in office being present, may levy and collect an *ad valorem* tax upon the taxable property of the citizens of said county, of not less than twenty nor more than forty cents on the one hundred dollars of taxable property, as shown by the assessor's book for the year 1865; and they may also levy and collect an additional poll tax of not more than two dollars on each tithe, in order to raise a fund of not more than fifteen thousand dollars, for the purpose of rebuilding a court-house for said county, in place of the one destroyed recently by the guerrillas.

§ 2. That the sheriff of the county aforesaid shall receive, collect, and pay over to the county treasurer of said county the money aforesaid for the purposes aforesaid, and shall be liable therefor in the same manner that he is for the collection of the revenue and county levy.

§ 3. The court aforesaid may levy said tax at the April term, 1865, of the Larue county court; and should said levy fail to be made at the time aforesaid, it may be levied at the May term succeeding.

§ 4. Said court shall have the power to levy an amount at once to meet the object aforesaid, or they may divide it and levy one half in the year 1865, and one half in the year 1866.

§ 5. This act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1230.

AN ACT for the benefit of Josephine P. Drake.

WHEREAS, Certain real estate in the city of Lexington was conveyed to Abram S. Drake, as trustee, for the sole and separate use of Mrs. Josephine P. Drake, by two deeds, one from the Lexington and Maysville railroad company, dated May 8th, 1857, and the other from Simeon N. Drake and others, dated June 27, 1860; and certain other real estate in said city was conveyed to Simeon N. Drake, as trustee, for her sole and separate use, by deed dated October 6th, 1860, by Abram S. Drake and wife, all of said deeds being recorded in the Fayette county court clerk's office; and whereas, in and by each of said deeds, power was given, or attempted to be given, to said Josephine to sell and convey each and all of said pieces of property, notwithstanding her coverture, just as if she were an unmarried woman; now, therefore,

*Be it enacted by the General Ass
of Kentucky:*

§ 1. That the provisions of section 47, of the Revised Statutes shall be inoperative; but the powers of sale expressed as conferred upon said court shall be executed by her according to the provisions notwithstanding the general laws.

§ 2. This act shall take effect from its passage.

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CHAPTER 12

AN ACT for the benefit of the Administrator of George Brownfield, deceased, late Clerk of the Larue Circuit Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the administrator of George Brownfield, deceased, late clerk of the Larue circuit court, be, and he is hereby, allowed the further time of two years to list and distrain for and collect the outstanding and uncollected fee bills of said estate; subject, however, to all the pains and penalties as is now authorized by law for the collection of illegal fee bills.

§ 2. This act to take effect from its passage.

Approved March 1, 1865.

CHAPTER 1232.

AN ACT for the benefit of Brent Hopkins.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Brent Hopkins have two years, from and after the passage of this act, to make out and list for collection all fees due to him as late clerk of the circuit and county courts of Oldham county: *Provided*, That said Hopkins shall be subject to all penalties provided by law against clerks for collecting illegal fees or issuing illegal fee bills.

§ 2. This act to take effect from its passage.

Approved March 1, 1865.

1865.

LAWS OF KENTUCKY.

CHAPTER 1233.

Supplemental to an act approved 23d January, 1865, entitled "An act to raise a bounty fund for Bracken county and for other purposes."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That divers persons in Bracken county having heretofore subscribed to raise a bounty fund in said county, it shall be lawful for the county judge, and he is hereby authorized to do so, to issue a county bond to each subscriber to said fund who has or may pay his subscription; said bonds to be payable in not less than ten nor more than twenty years, bearing interest at a rate of five per cent. per annum; the interest on said bonds to be received by the sheriffs in payment of the county levy.

§ 2. The bonds issued under the provisions of this act may be assigned by the owner making a written assignment on the back thereof.

§ 3. This act to take effect from its passage.

Approved March 1, 1865.

CHAPTER 1235.

AN ACT to incorporate the Harmony Society, of Louisville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Levi Bamberger, Wm. Kriegshaber, Louis G. Tachau, Jos. Rothchild, N. Bloom, and their associates and successors, be, and they are hereby, made a body-politic and corporate, by the name and style of the "Harmony Society of Louisville, Kentucky," and shall by that name have perpetual succession; may contract and be contracted with, sue and be sued; and acquire and possess property, real and personal, not exceeding in value twenty-five thousand dollars, and dispose thereof; and shall have and use a common seal, and the power to pass by-laws, not repugnant to the laws of the Commonwealth or of the United States.

§ 2. The purposes of the society are the establishment of a library and reading room for its members, a hall for literary discussions, and an enlightened social intercourse among its members.

§ 3. The members herein named, and those which hereafter may be admitted in accordance with its by-laws, shall in general meetings have an equal vote, to be given in person; fifteen shall constitute a quorum; and when the number is reduced below that number, the remaining members shall wind up the affairs of the society and distribute its proceeds among such charitable institutions of this Commonwealth as they may choose.

§ 4. A board of no less than members shall be chosen annually, in such way as the by-laws have the management of the society.

§ 5. No shares or bonds issued entitle their holders to any interest amount of money actually paid in any profit made by the society the dues or voluntary contributions out of parts of its buildings or other a surplus or sinking fund, subject above mentioned.

§ 6. The society shall exercise any kind, nor ever engage in or carry on any lottery.

§ 7. This act is to go into effect from and after its passage, and the Legislature reserves the right to repeal it.

Approved March 1, 1865.

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CHAPTER 1236.

AN ACT for the benefit of Warren county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county of Warren, holding stock in the Louisville and Nashville railroad, paid for in the bonds of said county, may sell to said road, or to others, the stock held by said county for the redemption of its said bonds: *Provided, however,* That no sale shall be made by the justices of the peace or county court of the county, without the question of "sale or no sale" shall first be submitted to the legal voters of the county. Said question may be submitted at the next May elections; and should the question at that time be decided adversely to the sale, the county court may at any time thereafter again submit the question; but no such submission shall at any time be made until sixty days' notice thereof shall be given by posting notices at the various voting places in the precincts of the county, and at other of the most public places. Said election or submission shall be held in the manner elections are held for members of the Legislature; and a majority of the voters voting for the sale shall authorize a sale to be made.

§ 2. This act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER 1237.

1865.

Amend an act, entitled "An act providing for the levy and collection of a tax to pay the Kenton County Bounty Fund," approved Feb. 1, 1865.

It enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act, entitled "An act providing for the levy and collection of a tax to pay the Kenton county bounty fund," approved February 1st, 1865, be amended by adding to the first section these words: "And for the purposes of this act the assessor shall list for taxation the estate of all non-residents found and situated in the county, in the same manner that he is directed to list the estate of residents of the county; and should any estate in said county be omitted by the assessors, it shall be the duty of the sheriff of the county to proceed in reference to said property or estate, in all respects the same as he is by law now required to proceed in reference to estate omitted by the assessor for county levy or revenue purposes, except that for each list reported by him, the board of commissioners named in said act shall allow him, in his settlement with them, twenty-five cents for each list of taxable property reported by him."

§ 2. This act shall take effect from and after its passage.

Approved March 1, 1865.

CHAPTER 1238.

AN ACT to change the time of holding the Barren Quarterly Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the term now fixed by law for holding the Barren county quarterly courts be changed from the Tuesday after the 3d Mondays in February, May, August, and November, to the 4th Mondays in the same months.

§ 2. This act shall take effect from and after the first day of March, 1865.

Approved March 1, 1865.

CHAPTER 1239.

AN ACT to change the time of holding the Larue County Quarterly Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the quarterly court for Larue county shall be held hereafter on the 2d Monday in May, August, November, and February, and shall continue, at each term, as

many days as the business of the court may require, instead of the time now fixed by law.

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§ 2. This act to take effect from its passage.

Approved March 1, 1865.

CHAPTER 1240.

AN ACT for the benefit of James Ramey, late Judge of the Johnson County Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time of two years be, and is hereby, allowed to James Ramey, late judge of the Johnson county court, to list and collect his uncollected fee bills, subject to all the penalties now inflicted by law for collecting illegal fee bills.

§ 2. This act to be in force from its passage.

Approved March 1, 1865.

CHAPTER 1241.

AN ACT to amend an act, entitled "An act to amend the charter of the Masonic Fraternity of Louisville," approved February 2d, 1860.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There shall hereafter be four directors elected, instead of five, as heretofore, by the stockholders, at their annual election, who, together with the one to be appointed by the Grand Lodge, shall elect one of their number as president. No person shall be eligible to the office of director who is not an affiliated Mason.

§ 2. There shall be a meeting of the stockholders called on the first Tuesday in May next for the purpose of electing directors, and annually on the first Tuesday in April thereafter. Said elections to be conducted, and vacancies to be filled, in the manner as directed in the act to which this is an amendment.

§ 3. At the annual meetings it shall be the duty of the president and directors to submit to the stockholders a full and accurate statement, in detail, of the condition, receipts, and expenditures of said company.

§ 4. That the affairs of said company shall at all times be subject to the inspection of the Grand Lodge of Kentucky, or any committee appointed to investigate the same.

§ 5. That said president and directors, in order to pay off \$30,000 in first mortgage bonds, which will mature the present year, be authorized to extend the payment thereof

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for a further period not to exceed five years, and at an interest not to exceed ten per cent. per annum, redeemable at the pleasure of the president and directors; and in the event such arrangement cannot be effected, said board is authorized to issue and sell new bonds for such purpose.

§ 6. That all acts or parts of acts which come in conflict with this act, be, and the same is hereby, repealed.

§ 7. That this act take effect from its passage.

Approved March 2, 1865.

CHAPTER 1242.

AN ACT to incorporate the Gardner Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That Wm. Gardner, J. H. Baker, and Erastus D. Tyler, of the city of Louisville, Kentucky, and their successors and assigns, are hereby created a body-politic and corporate, by the name of the "Gardner Oil Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company, and the conduct of its business, not inconsistent with the constitution and the laws of this Commonwealth.

Powers of cor-
poration.

§ 2. The said company shall have power to purchase and hold such estate in Kentucky, and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products and deposits in the earth; to extract, take out, develop, smelt, refine, reduce, manufacture, and prepare for market any or all of said minerals, products, or deposits, and to transport and sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property, deemed necessary or proper in the carrying on of said business, or any part thereof; to sell, convey, transfer, or assign, all or any part or interest in any of the said estate, real or personal, corporate or incorporate; and to exercise any necessary and proper powers to carry out the express powers herein granted; but nothing herein contained, shall be construed as granting to the said company any banking powers.

Capital stock.

§ 3. The capital stock of said company shall not exceed five hundred thousand dollars, to be divided into shares of twenty-five dollars each, which shares shall be personal

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property, and shall be evidenced and transferable as prescribed by the by-laws of the company; and the said persons named in the first section of this act shall constitute the board of directors for the said company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of the stock, and prescribe in the terms of the subscription the manner of payment, and the grounds of forfeiture of stock subscribed for and not paid in as required; and when not less than one hundred thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business, and the board, or a majority thereof, shall organize by electing one of their number to be president of the company, and to preside at meetings of the board.

May open books.

When to commence operations.

§ 4. The said president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than three nor more than five directors, who, when elected, in each year shall choose one of their number to be president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between the annual elections, as shall be provided in the by-laws.

Annual elections.

§ 5. Each share of said stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings, and must be voted by the holder in person or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not own at least five shares of the said capital stock.

How stock voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and security of such of its officers, and in such amount and penalty as it may deem proper, the better to secure the faithful discharge of their duties.

Officers to be appointed.

§ 7. And the said company may, from time to time, as it may see proper, make, declare, and pay dividends of profits and distribute its net receipts and the proceeds of sales among the stockholders *pro rata*, according to the amount of stock held by each.

May declare dividends.

§ 8. This act shall take effect from and after its passage.

Approved March 2, 1865.

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CHAPTER 1244.

AN ACT to charter the Mineral Railroad from Louisville to Litchfield.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*Corporate
name and pow-
ers.

§ 1. That all persons who shall become stockholders, pursuant to this act, in the company hereby authorized, shall be, and are hereby, made a body-corporate, under the name of the "Mineral Railroad Company," with power to construct and maintain a railway with a double or single track, with such appendages as may be deemed necessary for the convenient use of the same, commencing at any eligible point in or near the city of Louisville, and such point therein as may be fixed by said company, with the consent of the city council of Louisville, so as not to interfere with the Louisville and Nashville railroad, or to run in close proximity to the same; thence by the most practicable route through the coal, iron, and oil fields of Grayson county, Kentucky, near Millerstown, to Litchfield, and such other points as may be deemed best.

Capital stock.

§ 2. The capital stock of said company shall be one million of dollars, to be increased, if necessary, to complete the road and purchase the necessary depots at each end and along the line of the road, which capital stock shall be divided into shares of one hundred dollars each, and be deemed personal property.

Commissioners
to open books.

§ 3. George R. Reed, Henry Wild Fuller, John L. Stewart, Nelson Yocum, F. Baker, D. H. Blaney, E. D. Tyler, and ——— Caruth, attorney at law of Louisville, shall be commissioners for receiving subscriptions to the capital stock of the corporation, agreeably to the provisions of this act.

Notice of time
and place of
opening books
to be given.

§ 4. It shall be the duty of said commissioners, or any three of them, within twelve months after the passage of this act, to give notice in one or more papers in Louisville, Philadelphia, New York, and Boston, and such other papers as may be deemed proper, once in a week for four weeks in succession, of the time and place of opening books for the subscription to said stock; and they shall open books at all such places as they may deem fit; at each of all places specified, one or more of said commissioners shall attend on the day fixed, and for three or more days successively, and during at least six hours of each day, shall continue to receive subscriptions to the capital stock of said company from all persons or companies who will subscribe thereto, in conformity with the provisions of this act.

When sub-
scriptions to be
paid.

§ 5. Each subscriber, at the time he subscribes, shall pay to the said commissioners, or to their agents appointed to receive such subscriptions, either in money or a note negotiable and payable at some bank at sixty days date

or longer, at the option of said commissioners or their agents, the sum of five dollars on every share subscribed by him; and the residue thereof shall be paid in such installments and at such times as may be required by the president and directors of said company.

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§ 6. As soon as one hundred thousand dollars shall have been subscribed to the capital stock, the commissioners shall give notice of the time and place at which a meeting of the stockholders will be held for the choice of directors; such notice shall be published in one or more papers of general circulation, as may be along the route of said road, and in papers published in Louisville, Kentucky, Philadelphia, Pennsylvania, New York, and Boston. At the time and place appointed for such election, the commissioners, or three or more of them, shall attend and lay the subscription books before the subscribers then and there present, and thereupon the said subscribers, or a majority of them then present, in person or by proxy, shall, from among the stockholders, elect six directors by ballot, to manage the affairs of the company; and these six directors, or a majority of them, shall have the power of electing a president of said company, either from among the directors or any other stockholders, and of allowing him such compensation for his services as they may deem proper; and that in said election, and on all other occasions whereon a vote of the stockholders of said company is to be taken, each stockholder shall be allowed one vote for every share owned by him, her, or it; and every stockholder may, in writing, depute any other person to vote for him, her, or it, as his, her, or its proxy; and the commissioners aforesaid, or any three or more of them, shall be judges of the said first election of directors; all subsequent elections shall be conducted in the manner prescribed by the by-laws of said corporation.

When directors to be elected.

President, &c.

How stock voted.

§ 7. In all elections by the stockholders, a majority of the shares voted shall determine the choice.

Majority of shares voted to determine.

§ 8. The directors shall hold their offices for one year, and until others shall be elected in their stead; they shall appoint a president as directed in section (6) six, and some suitable person as secretary of the corporation; they shall, moreover, appoint all such officers and agents as the convenience of the company may require.

Term of office, officers, &c.

§ 9. The directors shall have power to cause all necessary examinations and surveys of the route for said railroad to be made, and shall select the route on which said road shall be constructed; but if said directors, after having selected a route for said railway, find any obstacle to continuing said location, either by the difficulty of construction, procuring right of way at reasonable cost, or whenever a better or cheaper route can be had, they shall

Route of road &c.

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Provisions of
another charter
made applica-
ble.

have authority to vary the route and change the location.

§ 10. *Be it further enacted*, That so much of an act, entitled "An act to incorporate the Maysville and Lexington railroad company," passed and approved March 4, 1850, as is embraced in sections 11, 12, 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, be, and the same is hereby, re-enacted and adopted as a part of this act, except that part of section twenty-two; where the name of Maysville is used in said section the name of Louisville shall be used in this act, except also that part of section twenty-five; where the name of Maysville and Lexington railroad is used in said section, the name Mineral railroad shall be used in this act: *Provided*, That nothing herein contained shall authorize any subscription of stock upon the part of the State

Approved March 2, 1865.

CHAPTER 1245.

AN ACT to incorporate the Ohio River and Pound Gap Railroad Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That all persons who shall become stockholders, pursuant to this act, in the company hereby authorized, shall be, and are hereby, made a body-corporate, under the name and style of "The Ohio River and Pound Gap railroad company," with power to construct and maintain a railway, with a double or single track, with such appendages as may be deemed necessary for the convenient use of the same, from any point on the Ohio river from Greenupsburg to Springville, in the county of Greenup, to Pound Gap, in the Cumberland Mountains, or near to said Gap, and through and within this State, by the most practicable route, deemed to be such by said company.

Capital stock.

§ 2. The capital stock of said company shall be two millions of dollars, to be increased if necessary by said company to complete the road and procure the necessary depots, rolling stock, machinery, and fixtures, not exceeding in the whole three millions of dollars.

Commissioners
to open books.

§ 3. That Carlisle Hunt, Thomas Dugan, H. A. Town, J. B. Gregory, Lewis Damrin, Robert Bell, Doctor Fulton, of Greenup county; M. F. Dupuy, Moses McCoy, Ben. F. King, Wash. Kinny, B. F. Bennet, A. N. Jones, Edward Brooks, John W. H. Womack, John Holbrook, Marshall Baker, S. Eifort, E. P. Davis, B. F. Crawford, Wash. Crawford, Wm. Bowling, Andrew Biggs, D. Landsdown, W. D. Jones, Moses Hurd, W. C. Ireland, and Ed. F. Dulin, shall be commissioners for receiving subscriptions to the capital stock of said company, agreeably to the provisions of this act.

§ 4. It shall be the duty of said commissioners, or any five of them, within two years after the passage of this act, to give notice, in two newspapers circulating in the part of the country over which the proposed road shall pass, and such other papers as they may deem proper, once a week, for at least three weeks in succession, of the time and places of the opening of books for the subscriptions of stock in said company; and any two of them shall open books, at such places as may be agreed upon by a majority of those giving the notice and making the call, and shall receive subscriptions of stock from all persons and companies, upon such terms and conditions as may be agreed upon by the commissioners giving the notice and making the call.

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Notice of time and place of opening books to be given.

§ 5. As soon as one hundred thousand dollars or upward shall have been subscribed, and, in the manner pointed out by the commissioners, the company may be organized by the acceptance of this charter, and the election of officers by the stockholders, or a majority thereof.

When to organize.

§ 6. Said company, or the commissioners appointed, and who may receive subscriptions to the capital stock of said company, may receive subscriptions of stock to the capital stock of said company in lands or other real estate, mines, mining rights, or any interest therein, at such valuation as may be agreed upon by the person or persons preparing to subscribe stock, the commissioner giving the notice and making the call for subscriptions, or by the president and directors of said company; but no such subscriptions of stock shall be obligatory unless the contract shall be reduced to writing, according to the laws of this State then in force in reference to the sale of real estate.

May receive subscription of lands, &c.

§ 7. The company formed under this act, their associates and successors, shall have perpetual succession; may have a common seal, which may be changed or altered at pleasure; with the right to sue and be sued, plead and be impleaded, in any court; and the president and directors may make such by-laws, rules and regulations, as they may deem necessary for the prudential management of the affairs of said company, not inconsistent and repugnant to this act, the constitution and laws of this State or of the United States; and may make such contracts for the construction of said road, its equipment and operation, as they may deem necessary therefor, and to carry out the objects and intent of this act; and to acquire and hold such property, real and personal, and dispose of the same, as may be necessary for the purposes of this act, and such rights of way and easements.

Powers of corporation.

§ 8. Said company shall be allowed to charge, receive, and recover such toll for passengers and freights passing on and over said road, or any part of it, as may be the

Rates of toll, &c.

1865.

Portions of an-
other charter
made applica-
ble.

highest allowed to be charged, received, and recovered by the most favored road in this State.

§ 9. The 5th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 16th, 17th, 19th, 20th, 21st, 22d, 23d, 24th, 26th sections of an act approved January 9th, 1852, entitled "An act to incorporate the Lexington and Big Sandy railroad," shall be, and they are herein, adopted as fully as if written in extenso as the 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th sections of this act, and shall compose part hereof; and if the subscribers to the company hereby created shall not become so far organized as to elect a board of directors within two years from the passage of this act, and within two years after said organization make *bona fide* contracts for the construction of at least ten miles of said road, the privileges of said corporation shall cease, and this act shall be void.

§ 10. *Be it further enacted*, Said company may unite said road with any other road in or out of this State, upon such terms as the consolidated roads may agree.

§ 11. This act shall take effect from its passage.

Approved March 2, 1865.

CHAPTER 1246.

AN ACT to incorporate the German and English Free School, of Paducah.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That John A. Miller, J. W. Kaskel, G. Rock, G. W. Oohlschlaeger, A. Henneberger, C. Enders, H. Theobald, and their associates and successors, be incorporated by the name of the "German and English Free School, of Paducah," and shall by that name have perpetual succession; use a common seal; contract and be contracted with, sue and be sued; and acquire, hold, and dispose of property, real and personal; but the property held at any one time shall not exceed ten thousand dollars in value beyond the necessary school buildings and apparatus for teaching.

§ 2. The capital stock of the "German and English Free School, of Paducah" shall consist of no more than five hundred shares of not more than twenty dollars each; and its affairs shall be managed by five trustees, elected annually on the first Monday in March; but the first election may be fixed by the above corporators at any time within thirty days from the passage of this act; each share shall entitle its holder to one vote, to be given in person or by proxy; and the same rule shall prevail at all meetings of the corporators, who shall also have the ordinary power of making by-laws, not in conflict with the laws of this

State or the United States, and of determining the powers and duties of the trustees.

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§ 3. This corporation is not to engage in any trade or business except the education of youth.

§ 4. This act to go into effect from its passage, and the Legislature reserves the right to change, alter, or repeal it.

Approved March 2, 1865.

CHAPTER 1247.

AN ACT to amend the charter of the Versailles and Shryock's Ferry Turnpike Road Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the company of the Versailles and Shryock's Ferry turnpike road shall have power to charge the same rates of tolls on said road that are now by law charged on the Versailles and Midway turnpike road.

§ 2. This act to be in force from its passage.

Approved March 1, 1865.

CHAPTER 1248.

AN ACT to change the place of voting at an election precinct in Marion county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the place of voting in an election precinct in Marion county be, and the same is hereby, changed from Lynchburg to Haysville, in said county.

§ 2. This act to take effect from its passage.

Approved March 2, 1865.

CHAPTER 1249.

AN ACT to incorporate the Baker Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. H. Baker, Erastus D. Tyler, and E. M. Kerr, of the city of Louisville, Kentucky, and their successors and assigns, are hereby created a body-corporate and politic, by the name of the "Baker Oil and Mining Company;" and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places as a natural person; to have and use a common seal, and

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to alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this Commonwealth.

§ 2. The said company shall have power to purchase and hold such estate in Kentucky and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products and deposits in the earth; to extract, take out, develop, smelt, refine, reduce, manufacture, and prepare for market, any or all of said minerals, products, or deposits, and to transport and sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property deemed necessary or proper in the carrying on of said business or any part thereof; to sell, convey, transfer, or assign, all or any part or interest in any of the said estate, real or personal, corporate or incorporate, and to exercise any necessary and proper powers to carry out the express powers herein granted; but nothing herein contained shall be construed as granting to the said company any banking powers.

§ 3. The capital stock of said company shall not exceed one million of dollars, to be divided into shares of twenty-five dollars each, which shares shall be personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company; and the said persons named in the first section of this act shall constitute the board of directors for the said company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have the power to open books for the subscription of the stock, and prescribe in the terms of subscription the manner of payment, and the grounds of forfeiture of stock subscribed for and not paid in as required; and when not less than one hundred thousand dollars are subscribed and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business; and the board, or a majority thereof, shall organize by electing one of their number to be president of the company, and to preside at meetings of the board.

§ 4. The said president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than three nor more than five directors, who, when elected, in each year shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may by the provisions of the by-laws constitute a

quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in the by-laws. 1865.

§ 5. Each share of said stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings, and must be voted by the holder in person, or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not own at least five shares of the said capital stock.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and security of such of its officers, and in such amount and penalty, as it may deem proper, the better to secure the faithful discharge of their duties.

§ 7. And the said company may, from time to time, as it may see proper, make, declare, and pay dividends of profits and distribute its net receipts and the proceeds of sales among the stockholders, pro rata, according to the amount of stock held by each.

§ 8. This act shall take effect from and after its passage.

Approved March 2, 1865.

CHAPTER 1250.

AN ACT to incorporate the Cub Run and Nolin Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Jno. Donan, Jesse Craddock, J. H. Baker, and Erastus D. Tyler, of the city of Louisville, State of Kentucky, and their successors and assigns, are hereby created a body-politic and corporate, by the name of the "Cub Run and Nolin Oil Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places as a natural person; to have and use a common seal, and alter the same at pleasure, and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this Commonwealth.

§ 2. The said company shall have power to purchase and hold such estate in Kentucky and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other mineral products and deposits in the earth; to extract,

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take out, develop, smelt, refine, reduce, manufacture, and prepare for market, any or all of said minerals, products, or deposits, and to transport and sell the same in or out of this State; to buy and erect, or construct all machinery, tools, fixtures, and personal property, deemed necessary or proper in the carrying on of said business, or any part thereof; to sell, convey, transfer, or assign all, or any part or interest in any of the said estate, real or personal, corporate or incorporate, and to exercise any necessary and proper powers herein granted; but nothing herein contained shall be construed as granting to the said company any banking powers.

§ 3. The capital stock of said company shall not exceed one million dollars, to be divided into shares of twenty-five dollars each, which shares shall be personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company; and the said persons named in the first section of this act shall constitute the board of directors for the said company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of the stock, and prescribe in the terms of subscription the manner of payment, and the grounds of forfeiture of stock subscribed for and not paid in as required; and when not less than one hundred thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business, and the board, or a majority thereof, shall organize by electing one of their number to be president of the company and to preside at meetings of the board.

§ 4. The said president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than three or more than five directors, who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may by the provisions of the by-laws constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in the by-laws.

§ 5. Each share of said stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings, and must be voted by the holder in person or by virtue of a written proxy, signed by the holder; and no person shall be voted for or hold the office of director who does not own at least five shares of the said capital stock.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary secretaries,

treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and security of such of its officers, and in such amount and penalty, as it may deem proper the better to secure the faithful discharge of their duties.

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§ 7. And the said company may, from time to time, as it may see proper, make, declare, and pay dividends of profits, and distribute its net receipts, and the proceeds of sales among the stockholders, pro rata, according to the amount of stock held by each.

§ 8. This act shall take effect from and after its passage.

Approved March 2, 1865.

CHAPTER 1251.

AN ACT to incorporate the J. B. Bruner Petroleum, Oil, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. B. Bruner, his associates, successors, and assigns, be, and they are hereby, created a body-politic and corporate, under the name and style of the "J. B. Bruner Petroleum, Oil, and Mining Company," and as such body-corporate shall have power—1. To have succession by its corporate name and make contracts. 2. To sue and be sued. 3. To use a common seal, and alter the same at pleasure. 4. To hold by purchase or lease, dispose of, and convey real and personal estate, by deed or otherwise, to such amount as its business may require. 5. To appoint such subordinate officers and agents as may be desirable, prescribe their duties and fix their salaries. 6. To make by-laws, not inconsistent with the laws of this State or of the United States, that may be necessary for the transfer of its stock, management of its property, and the regulation of its affairs, and the same, from time to time, to alter amend, or repeal.

Corporators' names, and corporate powers.

§ 2. That said corporation be, and they are hereby, authorized to dig, bore, or otherwise sink wells for salt, oil, or petroleum, or other mineral substances, on any lands now owned by them, by purchase or lease, and on any lands they may hereafter acquire, by purchase or lease, in any county in this Commonwealth; and to erect and operate fixtures and machinery for reducing the oil to its component elements, such as burning fluid, paraffine, and to erect and operate furnaces and mills on any lands so owned, or hereafter acquired by them in this Commonwealth, for the manufacture of pig and bar iron and salt; and shall have power to own or lease such warehouses, and at such places as the business of the company may

Business of corporation.

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require, and shall create and use such mode of transportation as they may deem proper.

Capital stock.

§ 3. That the capital stock in said company shall be five hundred thousand dollars, in shares of not less than five nor more than one hundred dollars each.

Board of directors, president, &c.

§ 4. That the stockholders shall annually elect five directors, who shall manage all the affairs of the corporation, and continue in office for one year and until their successors are elected and accept their appointment, one of whom shall be selected by the directors as president; and in all elections each share of stock shall entitle the holder to one vote; all vacancies to be filled by the board of directors.

How stock voted.

Stock personal estate.

§ 5. The shares of stock in said company shall be deemed personal estate, and transferable on the book of the company, approvable to the rules prescribed by the by-laws; the stock shall be paid in such installments and at such times as the board of directors may require, and for default of payment, the by-laws may authorize a forfeiture of stock.

§ 6. This act shall be in force from its passage.

Approved March 2, 1865.

CHAPTER 1252.

AN ACT to amend an act, entitled "An act to re-locate the State Road in Whitley County."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That so much of an act approved February the 15th, 1858, as relates to the appointment of commissioners, be, and the same is hereby, so amended as to authorize the Whitley county court, a majority of all the justices of the peace for said county concurring therein, to appoint two commissioners, whose duty it shall be to superintend all necessary improvements and repairs on the State road leading from London to the Tennessee line by way of Williamsburg.

§ 2. That the commissioners shall, when appointed, be assigned by the court, one to that portion of the road south of the Cumberland river, the other to that north of the river; that they shall respectively have power to make any change that may be necessary for the improvement of that portion of the road to which they shall have been respectively assigned: *Provided*, That he mark out and report to the county court in which said change is proposed; the report, when made, to have the same effect as if made by reviewers of roads.

§ 3. That the proceeds arising from the toll-gate on said road shall, after the bridges are paid for, be applied to the improvement and repairs of said road proportionately to the commissioners.

1865.

§ 4. That the Whitley county court may order the gate-keeper to pay over to the commissioners any or all the money on hand which may have been derived from the gate, for which the commissioners shall execute bond for the faithful disbursement of the amount received by them respectively.

§ 5. That all acts or parts of acts coming in conflict with this act are hereby repealed.

§ 6. This act shall take effect from and after its passage.

Approved March 2, 1865.

CHAPTER 1256.

AN ACT in relation to the Public Roads in Allen County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Allen county shall have the right to lay off into precincts the Louisville and Nashville turnpike road within the limits of said county, and assign hands to work the same; and the same laws that now apply to all the public roads, and the working of the same, in said county, shall apply to the working and keeping up of said road in said county, any laws to the contrary notwithstanding.

§ 2. This act to take effect from its passage.

Approved March 2, 1865.

CHAPTER 1257.

AN ACT for the benefit of School District No. 20, in Meade County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon report duly made to the common school commissioner of Meade county, by the trustees of district No. 20, in said county, of a school taught in said district in the year 1859, the said commissioner be, and he is hereby, directed to pay the amount due the said district, out of any unapportioned common school money that may be in his hands or under his control.

§ 2. This act to take effect from its passage.

Approved March 2, 1865.

1865.

CHAPTER 1258.

AN ACT for the benefit of School District No. 19, in Meade county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the act, entitled "An act for the benefit of certain common school districts," approved February 7th, 1865, be made to apply to district No. 19, in Meade county, for a school taught therein for school year 1862.

§ 2. This act shall take effect from its passage.

Approved March 2, 1865.

CHAPTER 1259.

AN ACT to change the place of voting in the Floydsburg Precinct.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The voting place in the Floydsburg precinct, in Oldham county, shall be hereafter at the house of Andrew Crow, in the town of Floydsburg, instead of the place now fixed by law.

§ 2. This act shall take effect from its passage.

Approved March 2, 1865.

CHAPTER 1260.

AN ACT creating a Bounty Fund in Clayvillage voting district, in Shelby county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it may be lawful for the county judge of Shelby county to appoint a commissioner, who may raise a fund by levying a tax on the people of said district, to be used as a bounty fund to raise volunteers for the service of the government.

§ 2. Said commissioner shall have power to levy a tax per capitem on every person subject to per capitem tax in the district, of twenty-five dollars, and an *ad valorem* tax of twenty-five cents on each one hundred dollars' worth of property subject to taxation in the district; this tax shall be collected by him as the taxes of the State are now collected, and he may have the same power for this purpose that the sheriff now has for collecting taxes.

§ 3. Before said commissioner enters on the discharge of his duties, he shall give bond and sufficient surety, and in sufficient penalty, and take oath for the proper discharge of his duty before the county judge of the county, on which bond he may be sued, by any one aggrieved by his conduct, in the Shelby circuit court.

§ 4. The fund arising from the collection of the tax shall be applied under the direction of the county judge, by obtaining volunteer soldiers to relieve the citizens of the Clayvillage district from the burthens of the draft, if required; and if not, the fund so raised shall be paid back to the various parties that have paid the same, in proportion as it was paid by each person, deducting only expenses of collection.

1865.

§ 5. The commissioner shall make settlement with the county judge of his accounts annually, and may have, as his compensation for services, the rates allowed sheriffs for collecting taxes.

§ 6. This law shall apply to the Clayvillage district as now bounded, and shall not be construed so as to subject any person to tax in that district who has served two years in the United States army; nor to subject to tax those who, being exempt by law from military duty, shall plead this fact before the county judge of the county within ten days after the tax is demanded of him, but otherwise if they do not so plead; nor shall any tax be levied on any of the property of any widow, nor of any orphan not subject to military duty in the district.

§ 7. This law to take effect from its passage.

Approved March 2, 1865.

CHAPTER 1261.

AN ACT to create a Bounty Fund in the Christiansburg Voting District, in Shelby County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it may be lawful for the county judge of Shelby to appoint a commissioner, who may raise a fund, by levying a tax on the people of said district, to be used as a bounty fund to raise volunteers for the service of the government.

§ 2. Said commissioner shall have power to levy a tax per capitem on every person subject to per capitem tax in the district of fifteen dollars; this tax shall be collected by him as the taxes of the State are now collected, and he may have the same power for this purpose that the sheriffs now have for collecting taxes.

§ 3. Before said commissioner enters on the discharge of his duty, he shall give bond and sufficient security, and in sufficient penalty, and take oath for the proper discharge of his duty, before the county judge of the county; on which bond he may be sued, by any one aggrieved by his conduct, in the Shelby circuit court.

1865.

§ 4. The fund arising from the collection of the tax shall be applied under the direction of the county judge to obtaining volunteer soldiers to relieve the citizens of the Christiansburg district from the burthens of the draft, if required; and if not, the fund so raised shall be paid back to the various parties that have paid the same, in proportion as it was paid by each person, deducting only expenses of collection.

§ 5. The commissioner shall make settlement with the county judge of his accounts annually; and may have as his compensation for services the rates allowed sheriffs for collecting taxes.

§ 6. This law shall apply to the Christiansburg district as now bounded, and shall not be construed so as to subject any person to tax in that district who has served two years in the United States army; nor to subject to tax those who, being exempt by law from military duty, shall plead this fact before the county judge of the county, within ten days after the tax is demanded of him, but otherwise if they do not so plead; nor shall any tax be levied on any of the property of any widow, nor of any orphan not subject to military duty in the district.

§ 7. This law to take effect from its passage.

Approved March 2, 1865.

CHAPTER 1262.

AN ACT for the benefit of the Covington and Lexington, or Kentucky Central, and Louisville and Frankfort and Lexington and Frankfort railroad companies.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the charter of the Covington and Lexington railroad company be, and the same is hereby, so amended, so as to authorize said company to increase their rates of charges twenty-five per cent. upon the amount they are now allowed by law to charge by law upon freight and passengers transported from Covington to Lexington, and *vice versa*: *Provided*, Nothing in this act shall authorize the company to increase their rate of charges on way-freight and passengers.

§ 2. That the charters of the Louisville and Frankfort and Lexington and Frankfort railroad companies be so amended as to allow said companies to charge fifteen per cent. additional to the rates now allowed by law on all through freights and passengers from Louisville to Lexington, and *vice versa*: *Provided*, That no increase shall be

allowed on way-freight and passengers, except those now allowed by law.

1865.

§ 3. This act shall take effect from its passage, and continue in force five years.

Approved March 2, 1865.

CHAPTER 1263.

AN ACT to incorporate the Eureka Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. H. Clements, A. H. Lewis, John G. Eve, A. G. Gower, and F. Hammar, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Eureka Petroleum Company," and by that name shall have perpetual succession, may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company, not inconsistent with the constitution and laws of this State or of the United States.

Corporators' names, and corporate powers.

§ 2. The capital stock of said company shall not exceed one hundred and twenty-five thousand dollars, which shall be divided into shares, subscribed and paid for in such manner as said company may, by its by-laws, prescribe.

Capital stock.

§ 3. That said company shall have power to appoint any one or more of its members, or other persons, to manage, contract, and direct the business of said company according to the by-laws, rules, and regulations which said company may adopt.

Who to manage affairs of corporation.

§ 4. That said company may acquire and hold such real and personal estate, by contract, as they may deem necessary or proper for the carrying on the mining of coal, or other minerals or metals; the procuring and manufacture of salt, oil, and lumber, and the transportation thereof to market, together with such quantities of land as may be necessary for the establishment of mills and landings, machinery and depots, for the same.

May hold real estate.

§ 5. That said company, when fully organized, shall cause a book to be opened, and kept subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred on said books in the manner to be prescribed by the by-laws of said company.

Names of stockholders, & No. of shares to be recorded.

§ 6. Nothing contained in this charter shall be construed into conferring banking powers upon this company. The

No banking powers.

1865.

Legislature reserves the right to repeal or alter this charter at will.

§ 7. This act to take effect from its passage.

Approved March 2, 1865.

CHAPTER 1264.

AN ACT to incorporate the Polytechnic Petroleum, Coal, and Salt Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That A. H. Lewis, W. H. Clements, John G. Eve, and A. G. Gower, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Polytechnic Petroleum, Coal, and Salt Company," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company, not inconsistent with the constitution and laws of this State or of the United States.

Capital stock.

§ 2. The capital stock of said company shall not exceed one hundred and twenty-five thousand dollars, which shall be divided into shares, subscribed and paid for in such manner as said company may, by its by-laws, prescribe.

Who to manage affairs of corporation.

§ 3. That said company shall have power to appoint any one or more of its members or other persons to manage, contract, and direct the business of said company according to the by-laws, rules, and regulations which said company may adopt.

May hold real estate.

§ 4. That said company may acquire and hold such real and personal estate by contract, as they may deem necessary or proper for the carrying on the mining of coal or other minerals or metals; the procuring and manufacture of salt, oil, and lumber, and the transportation thereof to market, together with such quantities of land as may be necessary for the establishment of mills and landings, machinery, and depots for the same.

Names of stockholders, & No. of shares to be recorded.

§ 5. That said company, when fully organized, shall cause a book to be opened, and kept subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred on said books in the manner to be prescribed by the by-laws of said company.

No banking power.

§ 6. Nothing contained in this charter shall be construed into conferring banking powers upon this company. The

Legislature reserves the right to repeal or alter this charter at will.

1865.

§ 7. This act to take effect from its passage.

Approved March 2, 1865.

CHAPTER 1265.

AN ACT to incorporate the Oil Spring Fork Oil and Mineral Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. W. Hammon, W. L. Cleaveland, John Richards, Geo. Carpenter, R. W. Emerson, J. P. Vincent, F. Gray, R. H. Henry, and A. H. Gray, and their associates and successors, are hereby created a body-politic and corporate, by the name and style of the Oil Spring Fork Oil and Mineral Company, and by that name said corporation shall have power to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places, as a natural person, forever; and to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations, for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this State and the United States.

Corporators' names, and corporate powers.

§ 2. The said company shall have power to purchase, lease, acquire, and hold such real estate in the State of Kentucky and elsewhere, by lease, in fee simple, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and in any other manner search for oil, coal, salt, iron, and any other mineral products and deposits in the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market, any or all of said mineral products, oils, or deposits aforesaid, and to transport or sell the same in or out of the State; to buy, erect, or construct all buildings, machinery, tools, fixtures, and personal property deemed necessary or proper in carrying on said business, or any part thereof; to sell, convey, transfer, or assign all or any part or interest in said estate, real or personal, corporeal or incorporeal; and to exercise any necessary or proper powers to carry out the expressed powers herein granted; said company may hold its main office within or out of this State, as the board of directors may decide is best for the interest of the company; said company shall not have nor exercise any banking powers, but it may borrow money upon such bonds or other evidences of debt as the board of directors may direct to be

May hold real estate.

Powers of corporation.

1865.

executed, in such sums and at such times and in such places and at such rate of interest, not exceeding ten per centum per annum, as the board of directors may deem advisable; and they may execute mortgages upon any or all the property of the company to secure the payment of such debts, from time to time, as may be created.

Capital stock. § 3. The capital stock of said company shall not exceed four millions of dollars, to be divided into shares of twenty dollars each; which shares shall be personal property, and shall be indorsed and transferred as prescribed by the by-laws of the company; the board of directors may fix the capital stock at first at a less sum than four millions of dollars, and increase the same from time to time, as they may deem expedient, but not above said sum. The said persons

First board of directors. named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; they, or a majority of them, shall have power to

May open books. open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment, and the time, manner, and grounds of forfeiture of stock subscribed

When to organize. for and not paid in as required by call; and when not less than fifty thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business, and the board, or a majority of them, shall organize by electing one of their number to be president of the company. The president and directors shall have power to

Officers to be appointed. appoint a secretary, treasurer, and such other inferior officers as the company, from time to time, may require, fix their salaries and prescribe their duties, as well as those of the president, and the time such inferior officers shall hold their respective positions, and may require and take from all officers such bonds as may be necessary to secure a faithful discharge of their duties; and may remove such inferior officers at pleasure.

Annual elections, directors, &c. § 4. The president and directors shall provide by the by-laws for the annual election by the stockholders of a board of directors of not less than five, nor more than nine, who, when elected in each year, shall choose one of

Term of office. their number as president as aforesaid; and the president and directors shall hold their offices until their

Vacancies. successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in their by-laws.

How stock voted. § 5. Each share of stock shall entitle the holder to one vote at the elections of directors or in stockholders' meetings for any purpose, and must be voted by the holder in

1865.

person, or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not at the time in good faith own in his own exclusive right at least five shares of the capital stock of said company paid up in full.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary agents, employes, and operatives for said company.

May appoint agents.

§ 7. The said company may, from time to time, as it may deem proper, make, declare, and pay dividends or profits, and distribute its net receipts and proceeds of sales among the stockholders pro rata, according to the amount of stock held by each.

§ 8. This act shall be in force from and after its passage.

Approved March 2, 1865.

CHAPTER 1266.

AN ACT to incorporate the Eastern Kentucky Oil Creek Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That F. Gray, R. W. Emerson, R. H. Henry, J. P. Vincent, F. F. Farrar, Geo. Carpenter, John Richards, A. T. Marsh, and W. L. Scott, and their associates and successors, are hereby created a body-politic and corporate, by the name and style of the Eastern Kentucky Oil Creek Mining Company, and by that name said incorporation shall have power to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places as a natural person forever; and to have and use a common seal and alter the same at pleasure, and to make all necessary by-laws and regulations for the government of the company, and the conduct of its business, not inconsistent with the constitution and laws of this State and the United States.

Corporators' names, and corporate powers.

§ 2. The said company shall have power to purchase, lease, acquire, and hold such real estate, in the State of Kentucky and elsewhere, by leases, in fee simple, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and in any other manner search for oil, coal, salt, iron, and any other mineral products and deposits in the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market any or all of said mineral products, oils, or deposits aforesaid, and to transport or sell the same in or out of the State; to buy, erect, or construct all buildings, machinery, tools, fixtures, and

May hold real estate, &c.

Powers of corporation.

1865.

personal property deemed necessary or proper in carrying on said business, or any part thereof; to sell, convey, transfer, or assign all or any part or interest in said estate, real or personal, corporeal or incorporeal, and to exercise any necessary or proper powers to carry out the expressed powers herein granted said company; may hold its main office within or out of this State, as the board of directors may decide is best for the interest of the company; said company shall not have nor exercise any banking powers, but it may borrow money upon such bonds or other evidences of debt as the board of directors may direct to be executed, in such sums, and at such times, and in such places, and at such rate of interest, not exceeding ten per centum per annum, as the board of directors may deem advisable; and they may execute mortgages upon any or all the property of the company to secure the payment of such debts, from time to time, as may be created.

Capital stock.**First board of directors.****May open books.****When to organize.****Officers to be appointed.****Board of directors, president, &c.**

§ 3. The capital stock of said company shall not exceed four millions of dollars, to be divided into shares of fifty dollars each, which shares shall be personal property, and shall be indorsed and transferred as prescribed by the by-laws of the company; the board of directors may fix the capital stock at first at a less sum than four millions of dollars, and increase the same, from time to time, as they may deem expedient, but not above said sum; the said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment, and the time, manner, and grounds of forfeiture of stock subscribed for and not paid in as required by call; and when not less than fifty thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business, and the board, or a majority thereof, shall organize by electing one of their number to be president of the company; the president and directors shall have power to appoint a secretary, treasurer, and such other inferior officers as the company, from time to time, may require, fix their salaries and prescribe their duties, as well as those of the president, and the time such inferior officers shall hold their respective positions, and may require and take from all officers such bonds as may be necessary to secure a faithful discharge of their duties, and may remove such inferior officers at pleasure.

§ 4. The president and directors shall provide by the by-laws for the annual election by the stockholders of a board of directors of not less than five nor more than nine, who,

when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provision of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in their by-laws.

1865.
Term of office.
Vacancies.

§ 5. Each share of stock shall entitle the holder to one vote at the elections of directors or in stockholders' meetings for any purpose, and must be voted by the holder in person, or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not at the time in good faith own in his own exclusive right at least five shares of the capital stock of said company paid up in full.

How stock
voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary agents, employes, and operatives for said company.

May appoint
agents, &c.

§ 7. The said company may, from time to time, as it may deem proper, make, declare, and pay dividends or profits, and distribute its net receipts and proceeds of sales among the stockholders pro rata, according to the amount of stock held by each.

May declare
dividends.

§ 8. This act shall be in force from and after its passage.

Approved March 2, 1865.

CHAPTER 1267.

AN ACT to incorporate the Dry Run Oil Company.

WHEREAS, In and by a certain deed of trust made the 22d day of September, A. D. 1864, between George F. Tyler and Louisa R., his wife, John Donaldson and Emma P., his wife, and Charles F. Shoener and Mary J., his wife, of the city of Philadelphia, and State of Pennsylvania, of the first part, and Eugene Borda, of the same city and State, of the second part, it was proposed to apply to the Legislature of the State of Kentucky for an act to create and establish a corporation under the name, style, and title of the "Dry Run Oil Company," for the purpose of mining for petroleum or coal oil in and upon the property therein described and conveyed; and whereas, the said parties of the first part have made, executed, and delivered certain instruments of writing under their hands and seals, each of the effect following, that is to say: "50,000 shares, No. —, \$5 each. In consideration of — dollars, the undersigned shall and will, in exchange for this receipt, deliver to —, his heirs, executors, administrators,

1865.

and assigns, — shares of the capital stock of the Dry Run Oil Company, when the said company shall have been incorporated. In the meantime, the said —, his heirs, executors, and assigns, is entitled to, and is hereby appointed to have and receive (to the extent of the number of shares above designated), all the rights and property reserved and secured for the benefit of the holders of these receipts by and under a certain deed of trust, dated the 22d day of September, A. D. 1864, between the undersigned of the first part, and Eugene Borda of the second part. This receipt being given and accepted, subject to the terms, conditions, and covenants of the said trust deed, and upon the express agreement and understanding that the party accepting it acquires hereby no other or further rights or property than such as are thereby reserved and secured for his benefit, and that the undersigned and the said trustee are liable only to the extent of their several and respective covenants therein contained.

“Witness our hands and seals this — day of —, A. D. 186—.

“GEORGE F. TYLER, [L. s.]

“JOHN DONALDSON, [L. s.]

“CHAS. F. SHOENER, [L. s.]

“Attest—

“E. BORDA, *Trustee.*”

And whereas, application has been duly made for the creation of a corporation as contemplated by said deed of trust; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

Corporators'
names, and cor-
porate powers.

§ 1. That the said George F. Tyler, John Donaldson, Charles F. Shoener, and such other persons as are or may become holders of the instrument of writing recited in the preamble to this act, and their successors, be, and they are hereby, constituted a body-politic or corporate, in fact and in name; by the name of “The Dry Run Oil Company,” for the purpose named in the deed of trust recited in the preamble to this act, to have and maintain, by and under the name aforesaid, perpetual succession, and be capable of suing and being sued; to have a common seal, and alter the same at pleasure; to be capable of purchasing, holding, and conveying, by or under their corporate name, the estate, real and personal, described and conveyed in and by the said deed of trust, and any other estate, real or personal, necessary to enable said company to effect the purpose and carry on the operations named; and have an office, and carry on its business, or so much thereof as is convenient, beyond the limits of this Commonwealth, and there to hold any real or personal estate necessary for conducting the same, contemplated in and by said deed of

trust: *Provided, however,* That neither a mortgage of its property, nor any deed of trust thereof, making preferences between its creditors, shall be executed by said company: *And provided further,* That this act shall not take effect until a copy of the aforesaid deed of trust, signed and acknowledged by said George F. Tyler, John Donaldson, and Charles F. Shoener, before some officer capable of taking the acknowledgment of deeds, shall have been first filed in the office of the clerk of the county court of Meade county, to be placed upon record, and a like acknowledged copy thereof filed in the office of the Secretary of State.

1865.

§ 2. The capital stock of the said company, consisting of the property, real and personal, in said deed of trust described and conveyed, shall be two hundred and fifty thousand dollars, and shall be divided into fifty thousand shares of the par value of five dollars each; shall be deemed personal estate; shall be transferable in such manner as the by-laws of the company may prescribe, and shall be issued to the said George F. Tyler, John Donaldson, Charles F. Shoener, and such other persons as are or may become the holders of the instruments of writing recited in the preamble to this act, to the extent of the number of shares to which they may be severally entitled under the provisions of the said deed of trust, free and exempt from all liability to or for any past or future calls thereon, or payments therefor.

Capital stock.

§ 3. The first meeting of the corporation hereby created shall be held within ninety days after the passage of this act, and shall be called by a notice signed by the said George F. Tyler, John Donaldson, and Charles F. Shoener, or either of them, stating the time, place, and purposes of the meeting, a copy of which said notice shall, at least two weeks before such meeting, be published in one newspaper printed in Louisville, in the State of Kentucky, and in one newspaper printed in the city of Philadelphia, in the State of Pennsylvania; and at such meeting, a majority in interest of the stockholders being present, by-laws shall be adopted not inconsistent with the constitution and laws of this State, officers elected, and all business transacted which may be necessary for the organization of the company.

First meeting
—when & how
held.

§ 4. The same corporation may make by-laws, not repugnant to the laws of this Commonwealth, for the regulation of its business.

May make by-
laws.

§ 5. The business of the company shall be managed and conducted by a president, board of directors, a secretary, treasurer, and such other officers, agents, and factors as the company may authorize for that purpose; the offices of secretary and treasurer may be held at the same time by one and the same person.

Who to man-
age affairs of
corporation.

1865.

Directors, &c.,
to be chosen
annually.

Vacancies.

No. of directors

Duties of secre-
tary.

May vote by
proxy.

Quorum.

Liabilities of
stockholders.

Officer or stock-
holder may re-
cover money
paid by them
for corporation

§ 6. The directors, secretary, and treasurer shall be chosen annually by the stockholders, and shall hold their offices until others are chosen and qualified in their stead; the manner of such choice, and of choice or appointment of all other agents, factors, and officers of the company, shall be prescribed by the by-laws; and when any vacancy shall happen among the directors or officers by death, resignation, or otherwise, shall be filled by the remaining directors at any meeting when a quorum may be present.

§ 7. The number of directors shall not be less than three or more than nine; one of them shall be chosen president by the directors or by the company, as the by-laws shall direct.

§ 8. The secretary shall record all the votes of the company in a book to be kept for that purpose, and perform such other duties as shall be assigned to him; the treasurer shall give bond in such sum and with such sureties as shall be required by the by-laws for the faithful discharge of his duties.

§ 9. At all meetings of the company absent stockholders may vote by proxy, authorized in writing; but no proxy shall be valid unless executed and dated within six months previous to the meeting at which it is used, if the maker thereof resides in the United States; and no person shall, as proxy or attorney, cast more than fifty votes, unless all the shares so represented by him belong to one person; and no officer of the corporation, as proxy or attorney, shall cast more than twenty votes; the company may determine by its by-laws what number of stockholders shall attend, either in person or by proxy, or what number of shares shall be represented at any meeting, to constitute a quorum; if the quorum is not so determined, a majority in interest of the stockholders shall constitute a quorum.

§ 10. The stockholders shall be personally liable for all sums of money due to laborers and operatives for services rendered, within six months before demand made upon the corporation, and its neglect or refusal to make payment.

§ 11. Any officer or stockholder of the company, who voluntarily or by compulsion, pays a debt of the company for which he is made liable by this act, may recover the amount so paid, in an action against the company for money paid for its use; in which action the property of the company only shall be liable to be taken, and not the property of any stockholder.

§ 12. The officers and stockholders shall not be individually liable for the debts of the corporation otherwise than in this act provided.

§ 13. The said company, and the officers, directors, and stockholders thereof, shall have and enjoy all the rights, powers, privileges, and franchises conferred by the tenth, eleventh, sixteenth, nineteenth, twentieth, and twenty-first sections of an act of the General Assembly of this Commonwealth, approved March 10, 1864, entitled "An act to authorize the formation of corporations for manufacturing, mining, transporting, mechanical, or chemical purposes," and shall be subject to all the requirements and provisions of the said sections so far as they are consistent with the provisions of this act.

1865.

Privileges of corporation.

§ 14. This act shall take effect from its passage, and the Legislature reserves the right to alter, amend, or repeal this charter.

Approved March 2, 1865.

CHAPTER 1269.

AN ACT to incorporate the Big Sandy Oil and Mineral Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That George Carpenter, F. Gray, W. L. Scott, J. Hearn, Thomas B. Vincent, R. H. Henry, J. P. Vincent, A. H. Gray, and Orange Noble, and their associates and successors, are hereby created a body-politic and corporate, by the name and style of the Big Sandy Oil and Mineral Company, and by that name said incorporation shall have power to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places as a natural person, forever; and to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations, for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this State and the United States.

Corporators' names, and corporate powers.

§ 2. The said company shall have power to purchase, lease, acquire, and hold such real estate in the State of Kentucky and elsewhere, by leases, in fee simple, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and in any other manner search for oil, coal, salt, iron, and any other mineral products and deposits in the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare any or all of said mineral products, oils, or deposits aforesaid, and to transport or sell the same in or out of the State; to buy, erect, or construct all buildings, machinery, tools, fixtures, and per-

May hold real estate.

Powers of corporation.

1865.

sonal property deemed necessary or proper in carrying on said business, or any part thereof; to sell, convey, transfer, or assign all or any part or interest in said estate, real or personal, corporeal or incorporeal; and to exercise any necessary or proper powers to carry out the expressed powers herein granted; said company may hold its main office within or out of this State, as the board of directors may decide is best for the interest of the company; said company shall not have nor exercise any banking powers, but it may borrow money upon such bonds or other evidences of debt as the board of directors may direct to be executed, in such sums and at such times and in such places and at such rate of interest, not exceeding ten per centum per annum, as the board of directors may deem advisable; and they may execute mortgages upon any or all the property of the company to secure the payment of such debts, from time to time, as may be created.

Capital stock.

First board of directors.

May open books.

When may organize.

Officers to be appointed.

Board of directors, president, &c.

§ 3. The capital stock of said company shall not exceed four millions of dollars, to be divided into shares of fifty dollars each, which shares shall be personal property, and shall be indorsed and transferred as prescribed by the by-laws of the company. The board of directors may fix the capital stock at first at a less sum than four millions of dollars, and increase the same, from time to time, as they may deem expedient, but not above said sum; the said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment, and the time, manner, and grounds of forfeiture of stock subscribed for and not paid in as required by call; and when not less than fifty thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business; and the board, or a majority thereof, shall organize by electing one of their number to be president of the company. The president and directors shall have power to appoint a secretary, treasurer, and such other inferior officers as the company, from time to time, may require, fix their salaries, and prescribe their duties as well as those of the president, and the time such inferior officers shall hold their respective positions, and may require and take from all officers such bonds as may be necessary to secure a faithful discharge of their duties, and may remove such inferior officers at pleasure.

§ 4. The president and directors shall provide by the by-laws for the annual election by the stockholders of a board of directors, of not less than five nor more than nine,

who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may by the provisions of the by-laws constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in their by-laws.

1865.

Vacancies.

§ 5. Each share of stock shall entitle the holder to one vote at the elections of directors or in stockholders' meetings for any purpose, and must be voted by the holder in person or by virtue of a written proxy, signed by the holder; and no person shall be voted for or hold the office of director who does not at the time, in good faith, own in his own exclusive right at least five shares of the capital stock of said company paid up in full.

How stock voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary agents, employes, and operatives for said company.

May appoint agents.

§ 7. The said company may, from time to time, as it may deem proper, make, declare, and pay dividends of profits, and distribute its net receipts and proceeds of sales among the stockholders, pro rata, according to the amount of stock held by each.

May declare dividends.

§ 8. This act shall be in force from and after its passage.

Approved March 2, 1865.

CHAPTER 1271.

AN ACT for the benefit of the Louisville and Nashville Railroad Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the charter of the Louisville and Nashville railroad company be, and the same is hereby, amended so as to authorize said company to increase their rate of charges twenty-five per cent. upon the amount they are now allowed by law to charge upon freight and passengers transported from Louisville to Nashville, or *vice versa*: *Provided*, Nothing in this section shall authorize the company to increase their rate of charges upon way freight or passengers.

§ 2. This act shall take effect from its passage, and continue in force five years.

Approved March 2, 1865.

1865.

CHAPTER 1272.

AN ACT to amend an act, entitled "An act to incorporate the Western Financial Corporation."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the power given in the fourth section of the act to which this is an amendment, to sell and pass the title to certain bonds and other things pledged as security for money loaned or debts owing, shall be so construed as to apply to and embrace any and all the securities, property, or things received in pledge by said corporation, as authorized by said section, but not to include any real estate: *Provided*, That the securities, property, or other things named in this amended act shall not be sold by said company until it shall have given the owner or party pledging the same ten days' notice in writing of the time and place of any such sale.

Approved March 2, 1865.

CHAPTER 1274.

AN ACT for the benefit of J. M. Curry, late Sheriff of Pendleton county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time until the 1st day of June next be given unto the said J. M. Curry, late sheriff of Pendleton county, to make out and return the list of forfeited lands for the year 1862; and the Auditor is hereby authorized and empowered to credit the amount of said list upon a judgment rendered in the Franklin circuit court at the June term, 1863, of said court, in favor of the Commonwealth of Kentucky against the said J. M. Curry and his securities.

§ 2. That the said J. M. Curry and his securities shall be released from the damages imposed by said judgment, if they shall, on or before the 1st day of June, 1865, pay up the debt, interest, and costs of said judgment.

§ 3. That the further time of two years is given to the said John M. Curry to collect the taxes and fee bills due him for the years 1859, 1860, 1861, and 1862, which shall be distrainable; and the said Curry shall be liable to all the pains and penalties now prescribed by law for illegal distress and issuing and collecting illegal fee bills.

§ 4. That the said John M. Curry be allowed to place said taxes and fee bills in the hands of any sheriff or constable for collection within the period aforesaid.

§ 5. That this act shall not take effect until the surviving securities of the said John M. Curry shall give their assent in the county court of Pendleton county.

Approved March 3, 1865.

CHAPTER 1275.

1865.

AN ACT for the benefit of J. E. Cossen, Circuit Court Clerk of Pulaski county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. E. Cossen be allowed the further time of two years to list and collect his fee bills, as clerk of the circuit court of Pulaski county, with power of distress, subject to the penalties now fixed by law for unlawful distress.

§ 2. This act to take effect from its passage.

Approved March 3, 1865.

CHAPTER 1276.

AN ACT for the benefit of E. D. Porch, County Clerk of Pulaski County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That E. D. Porch be allowed the further time of two years to list and collect his fee bills as clerk of the county court of Pulaski county, with power of distress, subject to the penalties now fixed by law for unlawful distress.

§ 2. This act to take effect from its passage.

Approved March 3, 1865.

CHAPTER 1277.

AN ACT to establish a Road Law for Caldwell county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That at the next regular election in the county of Caldwell, the officers, whose duty it may be to hold said election, shall also open the polls, in one column styled, "For adoption," in the other, "Against adoption," for the purpose of learning the wish of a majority of the county for or against the adoption of the road law of Greenup county, and the operation thereof within the county of Caldwell; the officers of elections aforesaid shall be governed by the election laws of the State, in the manner of conducting the election and the qualifications of voters for and against the law; and the officers, whose duty it may be to count the votes and compare the polls of the next annual election for county officers, shall count the votes and certify the result, for and against the adoption, to the county court of said county.

§ 2. If it shall appear, by said count, and certified to the county court, that a majority of the qualified voters of said

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county voting, voted for the adoption of the law, then the county court shall cause the fact to be entered upon the records of said court, and shall also thereon declare the law to be adopted, except as herein provided; if it shall appear that said majority did not vote for its adoption, then the court shall so enter the fact.

§ 3. If, by a majority aforesaid, the law shall be adopted, and so soon as it may be declared, as aforesaid, by the county court, said road law for Greenup county, in force at the adoption by the county of Caldwell, shall also be in force in Caldwell county, and applicable therein as the road law of said county of Caldwell, except that in the county of Caldwell there shall be but one road commissioner; and the duties required to be performed by the county court, in Greenup county, and the officers of said county of Greenup, shall be performed by the county court of Caldwell and the officers of Caldwell county, so far as it applies to the county of Caldwell.

§ 4. This act to be in force from its passage.

Approved March 3, 1865.

CHAPTER 1278.

AN ACT to authorize the County Court of Butler County to levy a tax to build a County Jail.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Butler county, a majority of the justices in said county being present and concurring therein, are hereby authorized and empowered to issue, or direct the issue of, the bonds of said county for a sum not exceeding ten thousand dollars; said bonds to draw a rate of interest not exceeding six per cent., for the purpose of building a county jail for said county; and for the purpose of paying the principal and interest of said bonds, said court is authorized to levy a poll tax of one dollar, on each tithe or person liable to pay poll tax; and an *ad valorem* tax not exceeding fifteen cents on the one hundred dollars' worth of taxable property in said county, in addition to the tax now allowed by law; and the county court shall provide by its orders, from time to time, how said bonds shall be issued and paid, and make all other orders that may be necessary to carry this act into effect for the purposes indicated.

§ 2. The sheriff of said county shall collect the same in the same manner, and under the same liabilities on his official bond, that he collects the county levy of said county, and shall receive the same compensation therefor.

§ 3. This act to be in force from its passage.

Approved March 3, 1865.

CHAPTER 1279.

1865.

AN ACT for the benefit of Wm. O. Bradley.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any two of the circuit judges in this State shall have full power and authority to license said Bradley, he being under twenty-one years of age, to practice law in all the courts of this Commonwealth; and when so licensed, he, the said Bradley, to be in all things entitled to the same privileges and to be under the same responsibilities as if he were of full age.

§ 6. This act to take effect from its passage.

Approved March 3, 1865.

CHAPTER 1282.

AN ACT to create a Mechanics' Lien Law for Washington County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the carpenters, joiners, brick masons, stone masons, plasterers, turners, painters, brick-makers, lumber merchants, or millers, and all other persons performing labor or furnishing material for the construction or repair of any building within Washington county (journeymen excepted), shall have a lien to the extent of their respective interests upon the building they may construct or repair, or towards the construction or repairing of which they may have furnished material or performed labor; and also upon the lot or tract of land on which such building is situated, which lien shall extend to the interest of the employer, and to such building and lot or land.

§ 2. That if such employer holds or claims by executory contract, and for any cause whatever such executory contract shall be set aside or rescinded, the lien herein given shall continue, so far as the person to whom the estate may come, or with him so may remain, by reason of such rescission or setting aside, shall be made richer by such building, repairing, or materials furnished.

§ 3. That where the employer shall be directed by the judgment of a court of competent jurisdiction, and shall, by law, be entitled to compensation from the successful claimant for improvements made on the premises, the persons who, under the provisions of this act, have liens against such employer, shall, to the extent of their liens respectively, be substituted for the person evicted, and recover compensation from the successful claimant, so far as by law such claimant is bound to make compensation to the evicted person.

1865.

§ 4. That the lien declared shall exist against private corporations, private quasi corporations and societies, or trustees holding estates for charitable uses, whether the building, repairing, or furnishing of materials shall be done or furnished at the request of such corporation, quasi corporation, society, or trustee, or by their servants or agents authorized by parol or otherwise.

§ 5. That all and every person claiming a lien in virtue of this act shall, within six months after the completion of the building, or repairing, or furnishing material, or within six months after the cessation of work thereon, by order of the party, or his, or its agent against whom the lien is sought to be enforced, and shall file in the clerk's office of the Washington county court his claim or account, specifying the lien claimed by him, which shall operate as a notice to the world of such lien; and that no lien shall exist in favor of any person in virtue of this act, who has not filed his accounts in the time aforesaid, or proceed by suit to enforce said lien, in which latter case the *lis pendens* shall be construed to commence from the time of filing the suit.

§ 6. That the rules of equity for the enforcement of liens and settling of priorities shall govern proceedings arising under this act, as well as liens under this act and other liens upon the same property.

§ 7. This act shall take effect from its passage.

Approved March 3, 1865.

CHAPTER 1283.

AN ACT to incorporate the Peter Cemetery, near Mackville, Washington county, Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

May hold real
estate.

§ 1. That Samuel Peter, Jordan Peter, William Sweney, John Basley, John M. Smith, and R. S. Mitchell, be, and they are hereby, created a body-politic and corporate in law, under the name and style of the "Peter Cemetery," near Mackville, Washington county, Kentucky, and by that name shall be capable in law to have and use a common seal, to sue and be sued, to plead and be impleaded, and do all such things as may be necessary to effectuate the purposes of this act; the said company shall have power to hold, by purchase, gift, grant, or devise, any quantity of land not exceeding ten acres, and may receive a conveyance therefor, with such covenants as they may think proper; the land and appurtenances, when conveyed, shall be held solely and exclusively for a cemetery and ornamental grounds connected therewith, and shall never be

alienated, sold, or used in any manner inconsistent with this act, or for any other purposes than burial lots, as hereinafter prescribed; said grounds, fixtures, shrubbery, and everything growing therein, shall be forever exempt from execution, and from levy and sale on account of judgment or decree, for any debt or demand whatever; no road, passway, or street shall be opened through the grounds, unless by the consent of the company; the company may receive by devise, bequest, gift, or donation, any legacies, gifts, or donations to them, to be appropriated solely and exclusively to the ornament or improvement of said cemetery and grounds; and may fund, loan out, or vest in any State stock any spare or surplus funds they may have, but shall never exercise banking powers.

§ 2. The above named persons shall be the first board of trustees, and they shall, at their earliest convenience, assemble, or a majority of them, and elect one of their own number as chairman; the first board shall remain in office for one year, and until their successors are elected, and may fill any and all vacancies that may occur in their body by death, resignation, or otherwise; all the corporate powers of the corporation; the five trustees shall afterwards be elected by a majority of the lot or shareholders who vote, once in every three years, due notice of the time and place of voting to be given by public notice posted in the neighborhood of the cemetery for ten days preceding such election; and the election shall be conducted by judges appointed by the board then in office; or, upon failure of the board to appoint judges, any lot-holder entitled to vote may conduct the election and return the polls to the board; the trustees, thus elected, shall remain in office for three years, and until their successors are elected and qualified, with power to fill vacancies when they occur from any cause; a majority of the board shall constitute a quorum for the transaction of business; each person, association, or body-politic, holding a burial lot or lots, shall be entitled to one vote in the election of trustees, and in all other matters which may, at any time, be submitted to a vote of the shareholders in said company; the trustees shall keep a record of their proceedings, and of all sales, transfers, and disbursements; and shall always preserve an accurate map of the grounds and lots, and shall have the same recorded in the clerk's office.

§ 3. The trustees shall have power to lay off and ornament any grounds now belonging to them, or hereafter acquired by them, and may, from time to time, alter and repair the same, and generally shall have charge of and direct all improvements or changes in said grounds; they shall have power to lay off, sell, and convey burial lots, either at public or private sale; to make, from time to time,

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Grounds, fixtures, &c., exempt from execution.

No road to be opened through grounds.

May receive donations, &c.

May loan out surplus funds.

First board of directors, chairman, &c.

Trustees to be elected — how and when.

Term of office.

Quorum.

Lot-owners entitled to vote.

To keep record.

May lay off and ornament grounds, sell lots, &c.

May make by-laws.

1865.

Officers to be appointed.

by-laws and regulations for the management of the cemetery grounds, graves, and inclosures, and the mode of ornamenting the same; and regulate the mode in which bodies shall be interred, and make such other by-laws as may be necessary, not inconsistent with the laws of this State or the United States; they shall have power to appoint, from time to time, such superintendent, or sexton, and other officers, as they may deem necessary, and prescribe their duties, fix their pay, and take such bond as may be required of them.

How money to be applied.

§ 4. The proceeds of sales of lots, and all moneys coming to the corporation from any source, shall be first applied to payment of purchase money, and shall afterwards, in all time to come, be applied to the improvement and ornament of the grounds, and to pay incidental expenses.

Certificates to be given to purchasers of lots.

Title transferable.

Lots not to be used for anything but burial purposes

§ 5. When a burial lot is purchased, the trustees shall give a certificate thereof, signed by the chairman of the board, and under the seal of the corporation, which certificate shall vest the purchaser with title; this title shall be transferable according to such rules and regulations as may be prescribed by the by-laws of the corporation, but in no other manner; and shall descend or pass by devise as other real estate. Such lots shall never be used for any other purpose than burial lots; and if applied to any other use, the title shall revert to the corporation.

Penalty for violating graves, &c.

§ 6. If any person shall maliciously and forcibly, and without lawful authority, violate any of the graves of the dead, or willfully deface any of the tombstones, monuments, or inclosures, or willfully injure any of the shrubbery, fixtures, or buildings, or in any manner damage the grounds of the corporation, such person or persons, so offending, besides being liable to indictment for a misdemeanor, or punishable according to the discretion of a jury, shall be liable to the corporation in an action of trespass, and the damages shall be applied to restore, as far as possible, any injury that has been done, and any balance to the general use of the company.

§ 7. This act shall take effect from its passage.

Approved March 3, 1865.

CHAPTER 1284.

AN ACT to amend the charter of the Lebanon and Perryville Turnpike Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That sections 21, 22, and 23, chapter 108, of the Revised Statutes, title "Turnpike and Plank Roads," shall be a part of the charter of the Lebanon and Perryville

turnpike road company as fully as though the said sections were ingrafted into said charter.

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§ 2. This act to take effect ninety days from its passage.

Approved March 3, 1865.

CHAPTER 1285.

AN ACT to authorize the opening and closing of certain streets in the City of Louisville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That on petition being filed by any person or persons who own any part of five acre lots, Nos. 4 or 5, in Campbell's western division of the city of Louisville, in the Louisville chancery court, making the city of Louisville and all persons who are owners of ground in said lots, and in the adjoining lots of ground, defendants, the said court may make an order to open and establish Lytle street, with a width of sixty feet, through the center of said five acre lots, Nos. 4 or 5; and to close and abolish the streets running parallel thereto, between Portland Avenue and Bank or Portland street: *Provided*, That the chancellor shall be of the opinion, from the pleadings and evidence in said action, that the opening and closing of said streets shall be to the public benefit, and no injury to any private rights or persons owning ground fronting on said streets, or thereabouts: *And provided*, That the mayor and general council of said city shall, by resolution, consent to the opening and closing of said streets as herein provided; and all the costs of such suits shall be paid by the plaintiffs therein.

§ 2. That this act shall take effect from its passage.

Approved March 3, 1865.

CHAPTER 1286.

AN ACT to authorize the Larue County Court to provide a bounty and substitute fund for said county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Larue county (the presiding judge of said court, and a majority of the justices of the peace of said county being present and composing the court) be, and they are hereby, empowered to levy a tax upon the real and personal estate in said county, including the amount given under the equalization law, as shown by the assessor's books for the year preceding; and

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also a poll tax upon the white males over twenty-one years of age, and the slaves over sixteen years of age, as shown by said books, for the purpose of raising a fund to be applied in payment of bounties to such persons as may be recruited into the service of the United States from said county, in order to relieve said county, in whole or in part, from the present or any future drafts made by the authorities of the United States or of this State, for said county, or for providing substitutes for citizens of said county who may be drafted, or for both purposes.

§ 2. *Be it further enacted*, That said county court shall have power to borrow money on the credit of the county, or to cause it to be done, and to authorize the issue of the bonds of the county therefor, bearing interest from the date thereof, payable semi-annually, for such length or lengths of time, not exceeding thirty years, and payable at such place as they shall deem expedient, to be signed by the presiding judge of said court, and to be attested by the clerk thereof, with the seal of said court annexed, with coupons annexed, to be signed by said clerk, providing for the semi-annual payment of said interest. Said bonds to be issued in such sums as said court may authorize, and to be sold and disposed of in such manner as said court may direct.

§ 3. Whenever said court shall order the issue of bonds as provided for in the next preceding section of this act, it shall be their duty to levy a tax as provided in the first section hereof, to pay the interest on said bonds as fast as it becomes payable, and to redeem them at maturity, or to create a sinking fund to pay principal or interest, or both, as it falls due.

§ 4. In case of the levy of a tax as aforesaid, to pay the principal or interest on said bonds, or both, it shall be the duty of the county judge of said county to appoint three commissioners of the sinking fund for said county, whose duty it shall be to see that the taxes herein provided for be levied and collected, and that the same be appropriated to the payment of the interest on said bonds, and to their redemption at maturity; and that any surplus, after paying interest and principal as it falls due, be loaned out on good security, or invested in some safe and profitable securities, such as government, State, or county bonds, bank stocks, or in the purchase of the bonds provided for by this act.

§ 5. Said commissioners are hereby created a body-politic and corporate, under the style of the Board of Commissioners of the Sinking Fund of Larue county, and as such may sue and be sued; they shall appoint one of their number chairman of the board, and another treasurer thereof; said treasurer shall give bond, with good and suf-

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sufficient security, to be approved of by the presiding judge of said court, in a sufficient amount to secure any funds that may pass through his hands, conditioned for a faithful discharge of his duties under this act, and any amendment that may be made thereto; and shall receive and pay out any funds that may be raised under the provisions of said act and any amendment thereto.

§ 6. It shall be the duty of the sheriff of Larue county to collect all taxes that may be levied under the provisions of this act, and any amendments that may be made thereto; before doing so he shall give a bond, with good and sufficient securities, conditioned for a faithful performance of his duties in collecting and paying over said taxes, for which he shall be allowed the same commission as sheriffs are allowed by law for collecting the revenue and poll taxes, and may make out and return delinquent list or lists in the same manner, and at the same times such sheriffs are required to return delinquent lists of public revenue and county levy, and shall pay over the moneys in his hands at the same times sheriffs are required to pay over the public revenue and county levy respectively, and under the same penalties as is provided by law in regard to a failure in collecting and paying over the public revenue.

§ 7. Such penalties may be recovered by motion or suit in either the county or circuit courts of Larue county in the same manner revenue may be recovered of sheriffs in the Franklin circuit; and it shall be the duty of the county and Commonwealth attorneys for said county to institute and prosecute such motions or suits. Said board shall keep a regular record of their actings and doings in a well-bound record book; the minutes of their proceedings to be signed by their chairman; and it shall be their further duty to appoint a clerk of said board, who shall record all their actings and doings and attest the same.

§ 8. Said sheriff, commissioners, treasurer, and clerk, before proceeding to act, shall be duly sworn in the county court of said county to perform all the duties required of them respectively by this act or any amendment that may be made thereto.

§ 9. Said county court is empowered to levy an *ad valorem* or poll tax, or both, as provided in the preceding section of this act, for the purpose of defraying the expenses of obtaining the credits to which said county may be entitled under any drafts heretofore or hereafter ordered, or to assist in the support of the widows and orphans of said county whose husbands or fathers have died or been killed in the service of the United States or of this State, or from disease contracted or wounds received while in said service; to be collected in the same manner and by the

1865. same person as herein provided, and to be appropriated by the said court constituted as provided in the first section of this act.

Approved March 3, 1865.

CHAPTER 1287.

AN ACT for the benefit of D. B. Moore.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That D. B. Moore, clerk of Taylor county, shall have until the first day of August next to deliver to the sheriff of said county the tax book thereof for the year 1865, and to forward, as required by law, the receipt of the sheriff, as well as a copy of said tax book, to the Auditor of Public Accounts.

§ 2. This act shall be in force from its passage.

Approved March 3, 1865.

CHAPTER 1289.

AN ACT to repeal the laws requiring the Tax-Payers of Whitley County to meet the Sheriff and Collector to pay their tax.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all laws requiring the tax-payers of Whitley county to meet the sheriff or collector of tax for said county, either at the court-house or other places named and pointed out by him, are hereby repealed, so far as the same may apply to the county of Whitley.

§ 2. This act shall be in force from its passage, and continue in force for two years from its passage, after which time the laws now in force upon said subject shall be in force.

Approved March 3, 1865.

CHAPTER 1290.

AN ACT to legalize certain proceedings of the Washington County Court.

WHEREAS, It is represented to this General Assembly that the county court of Washington county made certain appropriations for internal improvements in said county not authorized by law; wherefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Washington county, a majority of the justices of the peace being present and

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consenting thereto, upon the voto for the same being taken by yeas and nays, and entered of record, may ratify and confirm the appropriation made by said court at its last levying term for internal improvements in said county: *Provided*, That all the justices of said county shall have been first summoned ten days beforehand to attend the meeting of said court before said vote for the ratification shall be taken.

§ 2. This act shall take effect from its passage.

Approved March 3, 1865.

CHAPTER 1291.

AN ACT to authorize the County Court of Wolfe County to establish an additional Precinct in said County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Wolfe county is hereby authorized to establish an additional precinct in said county, together with an additional voting place within said precinct, at any time within sixty days before any regular election, and said court is hereby authorized to describe the boundary of said district.

§ 2. This act shall be in force from and after its passage.

Approved March 3, 1865.

CHAPTER 1292.

AN ACT to repeal an act, entitled "An act for the benefit of the Town of Lancaster."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act, entitled "An act for the benefit of the town of Lancaster," approved January 29, 1841, be, and the same is hereby, repealed; said act hereby repealed repeals so much of the fifth section of an act, entitled "An act to incorporate the town of Lancaster," approved February 23, 1837, as authorizes the president and board of trustees to license coffee-houses.

§ 2. This act shall take effect from its passage.

Approved March 3, 1865.

LAWS OF KENTUCKY.

CHAPTER 1294.

AN ACT to change the voting place in Woods' precinct, in Jefferson county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That hereafter the voting place in Woods' precinct, in Jefferson county, shall be, and is hereby, established at the Mount Holly school-house in said precinct.

§ 2. This act to be in force from its passage.

Approved March 3, 1865.

CHAPTER 1295.

AN ACT for the benefit of the Ohio County Court.

WHEREAS, The Ohio county court appropriated one thousand dollars for the benefit of indigent wives and widows of soldiers, and executed the bonds of the county for the money; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the orders of said court, in appropriating and borrowing said money, are hereby legalized, and the court is authorized to lay such additional county levy as may be sufficient to pay off the bonds executed by them.

§ 2. This act shall take effect from its passage.

Approved March 3, 1865.

CHAPTER 1296.

AN ACT for the benefit of S. W. Thompson and his sureties, late Clerk of the Scott County Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the payment of the principal and cost of a judgment rendered by the Woodford circuit court in the year 1864, against S. W. Thompson and his sureties, late clerk of the Scott county court, in favor of the Commonwealth of Kentucky, that said late clerk and his sureties be, and they are hereby, released from the payment of the interest and damages thereon.

§ 2. This act to take effect from its passage.

Approved March 3, 1865.

CHAPTER 1298.

1865.

AN ACT for the benefit of the town of Nicholasville, and for other purposes.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the chairman and board of trustees of the town of Nicholasville be, and they are hereby, invested with full and ample power to sell and convey by deed executed by them, a lot of land containing about one acre, together with all its appurtenances thereunto belonging; the said lot and house thereon situated having heretofore been used for the purposes of a female school, and purchased by said chairman and board of trustees from the trustees of the Presbyterian church of Nicholasville; and the said chairman and board of trustees are hereby invested with power to invest the proceeds of the sale of said lot in stock in the Nicholasville Cemetery Company for the use of said town of Nicholasville, or to appropriate the same to the improvement of the grounds of said company or other purposes.

§ 2. This act to take effect upon its passage.

Approved March 3, 1865.

CHAPTER 1301.

AN ACT to repeal all Laws authorizing the Trustees of the Town of Burksville to grant License to sell Spirituous Liquors, and restoring the Jurisdiction thereof to the County Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all laws or parts of laws, so far as they confer authority upon the trustees of the town of Burksville to grant license within said town to sell spirituous liquors, be, and they are hereby, repealed, and the county court of said county shall hereafter have exclusive jurisdiction to grant such license, in the manner now prescribed by law regulating the granting of town licenses: *Provided, however,* That nothing herein shall be construed as preventing the trustees of said town from taxing, by town ordinances, any taverns within said town any sum not exceeding one hundred dollars.

§ 2. This act shall take effect from its passage.

Approved March 3, 1865.

1865.

CHAPTER 1302.

AN ACT for the benefit of the Administrator of Jesse Stevens, deceased.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time of two years, from the passage of this act, is given to the said administrator of Jesse Stevens, deceased, to list the fee bills due to said Stevens at his death as sheriff of Caldwell county, with the sheriff or constables of said county; and said fee bills, when so listed, shall have all the distrainable force of other like claims, and shall be collected in the same manner and under the same liabilities as other like claims.

§ 2. This act to take effect from its passage.

Approved March 3, 1865.

CHAPTER 1303.

AN ACT to authorize the County Court of Wayne County to sell the Court-house in said County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Wayne county, a majority of all the magistrates of said county concurring, shall be, and is, authorized to sell the court-house in said county.

§ 2. This act to be in effect from its passage.

Approved March 3, 1865.

CHAPTER 1304.

AN ACT for the benefit of Seth Parker, late Sheriff of Lewis County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Seth Parker, late sheriff of Lewis county, be, and he is hereby, allowed the further time of two years, from and after the passage of this act, to collect all fee bills and fees and officers' fees in his hands and deputies, and his own fee bills; that he shall not distrain for the same, but that he may put them into the hands of any officer or officers for collection, who may distrain for the same.

§ 2. This act to take effect upon its passage.

Approved March 3, 1865.

CHAPTER 1305.

1865.

AN ACT to increase the County levy of Grayson County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Grayson county be, and is hereby, authorized to increase the county levy of said county, a majority of the justices of the peace for said county concurring therein, not to exceed two dollars and fifty cents upon each tithable, for the purpose of repairing the old court-house or building a new court-house at the county seat of said county.

§ 2. That the county judge of said county is hereby authorized to cause the justices of the peace to attend at any regular term of the county court to increase said levy.

§ 3. That this act shall take effect from its passage, and continue in force for three years.

Approved March 3, 1865.

CHAPTER 1306.

AN ACT to create an additional Justices' District in Bracken County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an additional magistrates' district is hereby established in Bracken county: Beginning at the Great Rock Spring, running with the pike up the hill to the forks of the road near Irvin's; thence a straight line to Locust creek, above Pepper's mill-dam at the forks of the road; thence up the creek, passing James Murray's and David Teel's, so as not to include them, to Noon's run; thence up said run to Charles Myers' (he not included), to the cross of the Pepper Mill road, past Sanford Fagan's, so as to include him; thence to Big run, and up Big run to the forks of the roads at Samuel Watson's; thence where the Metcalfe road intersects Washington trace; thence down the same, to include J. M. Holton's farm; thence a straight line to the Nelson fork, on Snagg creek, and down the same to the Ohio river. The voting place in said district is hereby established at Fairview Seminary.

§ 2. This act shall take effect from its passage.

Approved March 3, 1865.

1865.

CHAPTER 1309.

AN ACT to incorporate the Oil Creek Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That A. H. Gray, R. W. Emerson, R. H. Henry, F. F. Furror, J. R. Vincent, Orange Noble, J. W. Hammond, W. L. Cleaveland, and F. Gray, and their associates and successors, are hereby created a body-politic and corporate, by the name and style of the "Oil Creek Oil Company;" and by that name said incorporation shall have power to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places as a natural person, forever; and to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this State and the United States.

May hold real estate.

Powers of corporation.

§ 2. The said company shall have power to purchase, lease, acquire, and hold such real estate, in the State of Kentucky and elsewhere, by leases, in fee simple, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and in any other manner search for oil, coal, salt, iron, and any other mineral products and deposits in the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market, any or all of said mineral products, oil, or deposits aforesaid, and to transport or sell the same in or out of this State; to buy, erect, or construct all buildings, machinery, tools, fixtures, and personal property deemed necessary or proper in carrying on said business or any part thereof; to sell, convey, transfer, or assign, all or any part or interest in said estate, real or personal, corporeal or incorporeal, and to exercise any necessary or proper powers to carry out the expressed powers herein granted. Said company may hold its main office within or out of this State, as the board of directors may decide is best for the interest of the company. Said company shall not have nor exercise any banking powers; but it may borrow money upon such bonds or other evidences of debt as the board of directors may direct, to be executed in such sums, and at such times, and in such places, and at such rate of interest, not exceeding ten per centum per annum, as the board of directors may deem advisable; and they may execute mortgages upon any or all the property of the company to secure the payment of such debts, from time to time, as may be created.

Capital stock.

§ 3. The capital stock of said company shall not exceed four millions of dollars, to be divided into shares of fifty

dollars each; which shares shall be personal property, and shall be indorsed and transferred as prescribed by the by-laws of the company. The board of directors may fix the capital stock at first at a less sum than four millions of dollars, and increase the same, from time to time, as they may deem expedient, but not above said sum. The said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment, and the time, manner, and grounds of forfeiture of stock subscribed for and not paid in as required by call; and when not less than fifty thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business; and the board, or a majority thereof, shall organize by electing one of their number to be president of the company. The president and directors shall have power to appoint a secretary, treasurer, and such other inferior officers as the company, from time to time, may require, fix their salaries, and prescribe their duties as well as those of the president, and the time such inferior officers shall hold their respective positions, and may require and take from all officers such bonds as may be necessary to secure a faithful discharge of their duties, and may remove such inferior officers at pleasure.

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First board of directors.

May open books.

When to organize.

Officers to be elected.

§ 4. The president and directors shall provide by the by-laws for the annual election by the stockholders of a board of directors of not less than five nor more than nine, who, when elected, in each year shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in their by-laws.

Board of directors, president, &c.

Vacancies.

§ 5. Each share of stock shall entitle the holder to one vote at the elections of directors or in stockholders' meetings for any purpose, and must be voted by the holder in person or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not at the time, in good faith, own in his own exclusive right at least five shares of the capital stock of said company paid up in full.

How stock voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary agents, employes, and operatives for said company,

May appoint agents.

1865.

May declare
dividends.

§ 7. The said company may, from time to time, as it may deem proper, make, declare, and pay dividends or profits, and distribute its net receipts and proceeds of sales among the stockholders *pro rata*, according to the amount of stock held by each.

§ 8. This act shall be in force from and after its passage.

Approved March 3, 1865.

CHAPTER 1310.

AN ACT to incorporate the Magnolia Coal and Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That Adolphus Brandeis, Stark C. Haynes, Jesse E. Cogar, Wm. W. Crawford, and their associates, successors, and assigns, be, and they are hereby, constituted a body-corporate and politic, by the name, style, and title of the "Magnolia Coal and Oil Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

Capital stock.

When may
commence
operations.

§ 2. The capital stock of said company shall be three hundred thousand dollars (and may be increased or diminished fifty per cent. by a vote of the majority of the stockholders, at any time, upon a notice of ten days), to be divided into shares of twenty dollars each; said company may, however, commence operations as soon as fifty thousand dollars of said capital stock shall be subscribed, and twenty thousand dollars thereof paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors of said company at such times as may seem to them best.

May hold real
estate, &c.Business of
corporation.

§ 3. That said company shall have power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals; and in the manufacture of the same, and other products of lands now owned by them, or which may hereafter be owned by them; to purchase, own, and build boats, and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights and rights

of way and real estate, as they may deem necessary for the successful prosecution of their business, and the same, or any part thereof, to sell or otherwise dispose of, as the interest of said company may require.

1865.

§ 4. For conducting the affairs of said company a board of five directors shall be chosen; said board shall choose one of its members, who shall be the president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The president and directors shall have power to appoint all officers, agents, and servants under them, and remove them at pleasure. In all elections each share shall entitle the holder to one vote; and stockholders may vote by proxy.

Board of directors, president, &c.

Officers to be appointed.

§ 5. The stock of said company shall be deemed personal estate.

Stock personal estate.

§ 6. Books for the subscription of stock may be opened at any time and place and closed again at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

May open books.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow or obtain on loan such sums of money, and on such terms as they may deem expedient, for the use of said company; and to pledge or mortgage all or any part of the estates, improvements, privileges, effects, and assets of said company for the repayment of said sums of money so borrowed, at such times as may be agreed upon.

May borrow money.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue for and recover the same.

Stock may be forfeited.

§ 9. Said company shall have possession, enjoy all rights, powers, privileges, and immunities conferred by law in this State upon any other company chartered for similar purposes; there is no power given in this charter that will prevent any similar company from receiving or enjoying all its corporate powers.

§ 10. Nothing in this act shall be construed as conferring banking powers upon this corporation.

§ 11. The right to alter, amend, or repeal this charter is reserved to the General Assembly.

§ 12. This act to take effect from its passage.

Approved March 3, 1865.

1865.

CHAPTER 1311.

AN ACT to incorporate the Lulybegrud Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That S. M. Barnes, Wm. B. Dodge, Jehiel Towner, Benjamin Grant, and Jos. D. Clark, and their associates, or persons who shall become stockholders, be, and the same are, created a corporation or body-politic, able, and by their common consent, to grant or receive in law anything within the compass of their chartered privileges, and to be denominated the "Lulybegrud Oil and Mining Company," with the privilege of boring petroleum wells, mining for coal, iron, and other minerals, anywhere within the State, wherever the body-politic shall acquire title to oil fields, coal, iron, or other mines, either by purchase, lease, or grant; they and their associates and successors shall continue and have succession for an indefinite period, and by their name and style are hereby made as capable in law as individual citizens to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to make, have, and use a common seal; also the power to purchase, lease, and own real estate suitable for the production of petroleum and for mining coal, iron, or other minerals; also to erect warehouses and machinery necessary for procuring petroleum, coal, iron, or other minerals; also, after the company shall be organized, the power to ordain and establish such by-laws, ordinances, and regulations as shall be necessary for the well-being and government of said company, and not contrary to the laws of this State and the United States.

Capital stock.

§ 2. That the capital stock of this company shall be three millions dollars, divided into sixty thousand shares of fifty dollars each.

Stock regulated.

§ 3. That the company shall, by the common consent of its president and directors, when organized, regulate the proportion of stock which may be issued to each member.

Who may sell stock.

§ 4. That the president and board of directors shall have the power to authorize any of its officers or any stockholder, for the mutual benefit of its members, to sell stock to companies or individuals, in the United States or in Europe; the proportion of stock so to be disposed of to be determined by the president and directors.

Officers, directors, &c., how & when elected.

§ 5. The officers of this company shall consist of a president, vice president, secretary, and treasurer; also five directors, who, with the president and vice president, shall constitute the board of directors, and shall hold their office for one year; and at the expiration of each year an election for said officers shall be held, and timely notice shall be given to the stockholders of the time and place

where such election will be held; and each stockholder shall be entitled to one vote for each and every share which such stockholder shall own; any stockholder not present at such meeting or election may vote by proxy, such proxy being a stockholder present at such meeting or election, and presenting his authority in writing from his principal.

1865.

§ 6. That at every annual meeting of the stockholders it shall be the duty of the secretary to report in writing the financial condition of the company, its acts and doings, and at all times to have his books ready for inspection by the board of directors; and, when ordered by the board of directors, declare dividends, and draw warrants on the treasurer for the same, taking the stockholders' receipt for all amounts thus paid.

Secretary to report at annual meetings.

§ 7. That dividends may be declared monthly or quarterly, as the board may from time to time direct.

Dividends.

§ 8. That the Legislature reserve the right to alter, amend, or repeal this act.

§ 9. This act to take effect from its passage.

Approved March 3, 1865.

CHAPTER 1312.

AN ACT to incorporate the Glade Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That John G. Fee, Jehiel Towner, H. C. Rogers, P. G. Finn, Benjamin Grant, and George Kellogg, and their associates, or persons who shall become stockholders, be, and the same are, created a corporation or body-politic, able, and by their common consent, to grant or receive in law anything within the compass of their chartered privileges, and to be denominated "The Glade Oil and Mining Company," with the privilege of boring petroleum wells, mining for coal, iron, and other minerals any where within the State, wherever the body-politic shall acquire title to oil fields, coal, iron, or other mines, either by purchase, lease, or grant. They and their associates and successors shall continue and have succession for an indefinite period, and by their name and style are made as capable in law as individual citizens to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have and use a common seal; also, the power to purchase, lease, and own real estate suitable for the production of petroleum, and for mining coal, iron, or other minerals; also, to erect warehouses and machinery necessary for procuring petroleum, coal, iron,

Corporators' names, and corporate powers.

1865.

or other minerals; also, after the company shall be organized, the power to ordain and establish such by-laws, ordinances, and regulations as shall be necessary for the well-being and government of said company and not contrary to the laws of this State and the United States.

Capital stock. § 2. That the capital stock of this company shall be three millions of dollars, divided into sixty thousand shares of fifty dollars each.

Stock to be regulated. § 3. That the company shall, by the common consent of its president and directors, when organized, regulate the proportion of stock which each member shall receive.

Who may sell stock. § 4. That the president and board of directors shall have the power to authorize any of its officers, or any stockholder, for the mutual benefit of its members, to sell stock to companies or individuals in the United States or in Europe. The proportion of stock so to be disposed of to be determined by the president and directors.

Officers, directors, &c., how & when elected. § 5. The officers of this company shall consist of a president, vice president, secretary, and treasurer, also five directors, who, with the president and vice president, shall constitute the board of directors, and shall hold their office for one year; and at the expiration of each year an election for officers shall be held, and timely notice shall be given to the stockholders of the time and place where such election will be held; and each stockholder shall be entitled to one vote for each and every share which such stockholder shall own. Any stockholder not present at such meeting or election may vote by proxy, such proxy being a stockholder present at such meeting or election and presenting his authority in writing from his principal.

May vote by proxy. § 6. That at every annual meeting of the stockholders it shall be the duty of the secretary to report in writing the financial condition of the company, its acts and doings, and at all times to have his books ready for inspection by the board of directors; and, when ordered by the board of directors, to declare dividends, and draw warrants on the Treasurer for the same, taking the stockholders' receipt for all amounts thus paid.

Secretary to report at annual meeting. § 7. That dividends may be declared monthly or quarterly, as the board of directors may, from time to time, direct.

May declare dividends. § 8. This act to take effect from its passage.

Approved March 3, 1865.

CHAPTER 1313.

1865.

AN ACT to incorporate the Green River Petroleum, Mineral, Manufacturing, Exploring, and Refining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. C. Culbertson, A. J. Alexander, John G. Carlisle, their associates and successors, are hereby created a body-politic and corporate, by the name and style of the "Green River Petroleum, Mineral, Manufacturing, Exploring, and Refining Company," and by that name said incorporation shall have power to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places, as a natural person, forever; and to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations, for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this State and the United States.

Corporators' names, and corporate powers.

§ 2. The said company shall have power to purchase, lease, acquire, and hold such real estate in the State of Kentucky and elsewhere, by lease, in fee simple, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and in any other manner search for oil, coal, salt, iron, and any other mineral products and deposits in the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market, any or all of said mineral products, oils, or deposits aforesaid, and to transport or sell the same in or out of this State; to buy, erect, or construct all buildings, machinery, tools, fixtures, and personal property deemed necessary or proper in carrying on said business, or any part thereof; to sell, convey, transfer, or assign all or any part or interest in said estate, real or personal, corporeal or incorporeal; and to exercise any necessary or proper powers to carry out the expressed powers herein granted; said company may hold its main office within or out of this State, as the board of directors may decide is best for the interest of the company; said company shall not have nor exercise any banking powers, but it may borrow money upon such bonds or other evidences of debt as the board of directors may direct to be executed, in such sums and at such times and in such places and at such rate of interest, not exceeding ten per centum per annum, as the board of directors may deem advisable; and they may execute mortgages upon any or all the property of the company to secure the payment of such debts, from time to time, as may be created.

May hold real estate.

Powers of corporation.

§ 3. The capital stock of said company shall not exceed four millions of dollars, to be divided into shares of fifty

Capital stock.

1865.**First board of directors.****May open books.****When to organize.****Officers to be appointed.****Board of directors, president, &c.****How stock voted.****May appoint agents, &c.**

dollars each; which shares shall be personal property, and shall be evidenced and transferred as prescribed by the by-laws of the company; the board of directors may fix the capital stock at first at a less sum than four millions of dollars, and increase the same from time to time, as they may deem expedient, but not above said sum. The said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment, and the time, manner, and grounds of forfeiture of stock subscribed for and not paid in as required by call; and when not less than fifty thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business, and the board, or a majority thereof, shall organize by electing one of their members to be president of the company. The president and directors shall have power to appoint a secretary, treasurer, and such other inferior officers as the company, from time to time, may require, fix their salaries and prescribe their duties, as well as those of the president, and the time such inferior officers shall hold their respective positions, and may require and take from all officers such bonds as may be necessary to secure a faithful discharge of their duties; and may remove such inferior officers at pleasure.

§ 4. The president and directors shall provide by the by-laws for the annual election by the stockholders of a board of directors of not less than five, nor more than nine, who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in their by-laws.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings for any purpose, and must be voted by the holder in person, or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not at the time in good faith own in his own exclusive right at least five shares of the capital stock of said company paid up in full.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary agents, employes, and operatives for said company.

§ 7. The said company may, from time to time, as it may deem proper, make, declare, and pay dividends or profits, and distribute its net receipts and proceeds of sales among the stockholders pro rata, according to the amount of stock held by each. 1865.
May declare dividends.

§ 8. This act shall be in force from and after its passage.

Approved March 3, 1865.

CHAPTER 1314.

AN ACT to incorporate the Eagle Petroleum and Oil Refining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. T. Boyle, Z. M. Shirley, U. E. Ewing, Jas. S. Pirtle, J. M. Wright, W. R. Hurley, S. H. Aldridge, jr., and their successors, be, and they are hereby, created a body corporate and politic, by the name of the "Eagle Petroleum and Oil Refining Company," for the term of thirty years, with all the powers and authority incident to corporations, for the purposes hereinafter mentioned. Corporators' names, and corporate powers.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils and minerals, and to refine and vend the same. May hold lands

§ 3. The capital stock of the "Eagle Petroleum and Oil Refining Company" shall be five hundred thousand dollars, and shall be divided into shares of not less than five nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct; and the capital stock of said company may be increased by the board of directors if deemed necessary. Capital stock.

§ 4. The affairs of said company shall be managed by seven directors, one of whom shall be president, all of whom shall be stockholders in said corporation. The first board of directors shall consist of J. T. Boyle, Z. M. Shirley, U. E. Ewing, James S. Pirtle, J. M. Wright, Wm. R. Hurley, S. H. Aldridge, jr., who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors chosen by the stockholders shall continue in office for one year or until their successors are elected; if any of the above named directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else. They may adopt such by-laws and rules for the government of the corporation and management of its affairs and business as they may deem proper, not inconsistent with the constitution and laws of the State. Who to manage affairs of corporation.
Board of directors.
Term of office.
Vacancies.
May make by-laws.

1865.

May open
books.

The said incorporators, or any of them, may open books of subscription and receive subscriptions to the capital stock of said company herein incorporated; and books of subscription may be opened and subscriptions received at such times and places, and upon such notices thereof, as any three of said incorporators may deem right and proper.

Not to own prop-
erty exceed-
ing the capital
stock.
Notice of elec-
tion to be given

Officers to be
appointed.

§ 5. The said "Eagle Petroleum and Oil Refining Company" shall not own, in fee simple or by lease, lands exceeding in value five hundred thousand dollars, the capital stock of said company. Notice shall be given of the time and place of election of a new board of directors, who shall hold office for one year, as provided herein; the board of directors of said corporation may fill vacancies occasioned by death or resignation, or otherwise; and may make such calls of payments of stock as they deem proper, not to exceed twenty per cent. for every thirty days; they may keep their office at such place or places as they deem to the interest of the corporation; they may appoint a secretary, treasurer, superintendent, and other officers as they may deem necessary, with such compensation for services as they may fix; and by their by-laws regulate and fix the mode of keeping their records as may be deemed necessary.

§ 6. This act shall take effect from its passage.

Approved March 3, 1865.

CHAPTER 1315.

AN ACT to incorporate the Red River Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That Wm. H. Cunningham, W. B. Moore, Wm. Clark, Mason Morris, and Wm. N. Thompson, their associates, successors, and assigns, be, and they are hereby, created a body-corporate and politic, with perpetual succession, by the name and style of the "Red River Oil, Mining, and Manufacturing Company," with all the powers and authority incident to corporations, or hitherto granted any corporation within this Commonwealth, for the purposes hereinafter mentioned.

May hold lands,
business of cor-
poration, &c.

§ 2. That this corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, mining coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same, and to cut, raft, or float the timber from said lands, or build any and all kinds of flat-boats, mills, or other buildings, fixtures, and machinery deemed proper in order

to further the operations of said corporation, or dispose of any portion or portions of its territory or other property deemed advisable, and convey the same by deed or otherwise.

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§ 3. The capital stock of said corporation shall be fifty thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct, and the capital stock may be increased, if deemed proper, to any sum not exceeding seven hundred and fifty thousand dollars.

Capital stock.

§ 4. The shares of stock of said company shall be deemed personal estate, and transferable on the books of the company as prescribed by the by-laws of the corporation.

Stock personal estate.

§ 5. The affairs of said company shall be managed by five directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board shall consist of Wm. H. Cunningham, W. B. Moore, Wm. Clark, Mason Morris, and Wm. N. Thompson, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors thus chosen shall continue in office for one year, or until their successors are elected. If any one elected shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else. They may adopt such by-laws and rules, and the same to alter, amend, or repeal, from time to time, for the government of the corporation and management of its affairs and business as they may deem proper, not inconsistent with the constitution and laws of this State or of the United States. The said corporators, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated, and give such notice thereof of the times, places, &c., as may be deemed proper. Whenever thirty thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year, and until their successors are elected as provided herein; and may make such calls of payment of stock as they may deem proper, not to exceed twenty per cent. for every thirty days; and in default of payment, the by-laws of said corporation may authorize a forfeiture of stock. They may keep their office at such place or places as they may deem to the interest of the corporation. They may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services

Who to manage affairs of corporation.
Board of directors, term of office, &c.

May make by-laws.

May open books.

When election to be held.

Calls on stock.

May keep offices at different places.

Officers to be appointed.

1865.

as may be agreed upon, and by their by-laws regulate the mode of keeping their records as may be deemed necessary; and may have and use a common seal, and may break, alter, or amend the same at pleasure; may sue and be sued, plead and be impleaded, &c.

No banking
powers.

§ 6. No banking privileges are granted, but the same are expressly prohibited.

§ 7. This act shall take effect, and shall be in force from and after its passage.

Approved March 3, 1865.

CHAPTER 1316.

AN ACT for the benefit of A. A. Curtis, of Estill County, and others.

WHEREAS, A. A. Curtis and others gave bonds to the State of Kentucky for a lot of guns, and distributed them among some home guards and State guards, and the same were taken away by guerrillas or Confederate soldiers, and it would be improper to hold said Curtis and others, or their sureties, responsible for said guns; for remedy whereof,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That A. A. Curtis, T. B. Farleigh, Alf. Allen, J. R. Edwards, and William Brown, sr., and their sureties, be, and they are, jointly and severally, released from all liability or responsibility on bonds given to the State of Kentucky for guns.

§ 2. This act to be in force from its passage.

Approved March 3, 1865.

CHAPTER 1317.

AN ACT for the benefit of W. A. Turner, Clerk of the Graves Circuit Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That W. A. Turner, the clerk of the Graves circuit court, may, during the month of June next, report to the Auditor, for the past two years, such matters and things as are required to be reported by chapter 222, entitled "An act to amend the revenue laws," approved February 5, 1864. Said report, when made, to have the same effect in all things as if it had been made at the proper times.

Approved March 3, 1865.

CHAPTER 1318.

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AN ACT to incorporate the Continental Mining and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That O. W. Thomas, William P. Stratton, Thomas L. Crittenden, Furman L. Mulford, Charles Ripley, and their associates, successors, and assigns, are hereby incorporated and made a body-politic, by the name and style of the "Continental Mining and Manufacturing Company," under which name they shall have power to contract and be contracted with, sue and be sued, defend and be defended, in all places of competent jurisdiction; to have and use a common seal, and alter the same at pleasure; to make such by-laws, rules, and regulations for the government of the corporation as they shall deem expedient, which shall have the force and effect of a legal enactment to bind said corporation, if they do not conflict with the laws of the State or United States; and generally to do and execute for the well-being of said corporation whatever shall lawfully pertain to such body, and may be necessary and proper to carry on successfully its business.

Corporators' names, and corporate powers.

§ 2. Said company shall have the right to hold, by purchase or lease, any and all such lands, tenements, coal rights, ore rights, mining rights, salt and oil rights, and rights of way, real, mixed, and personal property, in or out of this State, as they may deem for the well-being and advantage of said company; and the same, or any part thereof, to use, sell, lease, or otherwise dispose of, as the directors or company may, from time to time, see proper. Said company is hereby authorized to mine, raise, manufacture, transport to market, and sell iron and other minerals, stone, oil, marble, salt, lumber, or other products; vend the same by agents or otherwise, in or out of the State, and to convert the same into any commodity for use or sale; also to manufacture, purchase, hold, use, and sell any articles necessary for the successful prosecution of their business; and to make any depots or roads, mills or factories, adapted therefor.

May hold lands

Powers of corporation.

§ 3. The business of said company shall be conducted by not less than three nor more than seven directors, to be composed, for the purposes of organization, of the above corporators, and such other persons as they shall associate with them, who shall, at such time and place as they may agree upon, elect a president and such other officers of the company as they may deem necessary. Said officers shall serve until their successors shall be elected; the time and manner of which election shall be fixed by the by-laws.

Who to manage affairs of corporation.

Officers to be appointed.

Term of office.

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Proper books shall be kept, in which shall be regularly entered all transactions and business of the company.

Capital stock.

§ 4. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same at any time, by a vote of the stockholders, to not exceeding one million of dollars, to be divided into shares of one hundred dollars each, and to be subscribed and paid for in money, real estate, or other such manner as may be fixed by the by-laws. If any installments remain unpaid for thirty days after being due, the directors may declare the same forfeited after giving thirty days' notice of their intention so to do; the stock shall be personal property, and transferable in person or by attorney on the books of the company. The company shall have a lien on the stock of any and all stockholders for any debt he may owe or any responsibility which he may be under to said corporation. The company shall have power to take bonds from their officers and agents, with sufficient surety, conditioned for the faithful performance of their duties as prescribed in the by-laws or in such bond.

Stock may be forfeited.

Stock personal estate.

May borrow money.

§ 5. It shall be lawful for the said company, through their president and directors, to borrow money upon notes or bills, or bonds, or indorsement, at such rates of interest or discount as they may deem expedient; and to pledge or mortgage any portion of their property as security therefor.

No banking powers.

§ 6. The said company shall not be authorized to carry on the business of banking, or to issue notes to pass as money or currency.

§ 7. This act shall take effect from its passage, and continue in force for thirty years; but the General Assembly shall have the right at any and all times to examine into the condition and business of the company.

Approved March 3, 1865.

CHAPTER 1319.

AN ACT to incorporate the West Union Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That W. C. Hite, R. A. Watts, J. B. Smith, L. M. Flournoy, J. T. Boyle, A. H. Hager, and A. O. Durland, be, and they are hereby, created a body-politic and corporate, by the name of the "West Union Oil Company," for the term of thirty years, with all the powers and rights incident to corporations, for the purposes hereinafter mentioned; and the above named persons shall be, and constitute, the first board of directors, and hold office for one year, or until their successors are elected by a majority in interest of the

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stockholders, any four of whom shall constitute a quorum; and may fill any vacancy resulting from death, refusal to act, or otherwise.

§ 2. The corporation hereby created is authorized and empowered to acquire and hold lands, in fee simple or by lease, and to bore, mine, and excavate for petroleum, salt, and other minerals on said lands, and to vend and refine the same; but the lands so acquired and purchased shall not exceed in value five hundred thousand dollars, which is hereby declared to be the capital stock of the said "West Union Oil Company," which may be divided into shares of not less than five dollars, nor more than one hundred dollars each share; which may be issued and transferred on the books of the company in the manner prescribed by the by-laws thereof, which the board of directors are authorized to adopt for the management of the affairs and business of the company, not inconsistent with the constitution and laws of the State.

§ 3. Whenever one hundred thousand dollars is subscribed, and ten per cent. thereof paid, the said directors, or any three of them, shall give notice of time and place for the election of a new board of directors, who shall hold office for one year, and until their successors are chosen; stockholders may vote by proxy or as provided by the by-laws; the company may establish offices at any place they deem proper, and appoint secretary, treasurer, and other officers fixed by their by-laws. Any of the incorporators named herein may open books of subscription, and receive subscriptions to the capital stock of said company, and the books may be opened and closed at such times and places as a majority of the directors shall deem proper.

§ 4. This act shall take effect from its passage; and the Legislature hereby reserves the right to alter, amend, or repeal this act at pleasure.

Approved March 4, 1865.

CHAPTER 1320.

AN ACT to incorporate the Magoffin County Oil, Coal, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That George Sutherland, J. W. Harding, Parker Artis, Wm. Ecton, H. W. Calmes, are created a body corporate, able by their common consent to receive and grant in law anything within the compass of their chartered franchises and privileges, and to be denominated the "Magoffin County Oil, Coal, and Manufacturing Company,"

Corporators' names, and corporate powers.

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with the privilege and purpose of boring petroleum and salt wells on any lands which they have in Magoffin, or any other counties in which they may acquire land, either by purchase or lease; and reducing the oil to burning fluid, paraffine, asphaltum, and to all its uses; trading in oil in its crude or refined state, and to mine and sell coal, and making and trading in salt, and shipping it to foreign or domestic ports; lay conduct pipes, and construct a railroad from their wells to a navigable river or railroad now constructed or to be constructed, and make connections and turn-outs for their purposes, &c. They and their associates and successors shall continue and have succession for an indefinite period, and by that name and style are hereby made as capable in law as individual citizens to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to make, have, and use a common seal; also, shall have the power to purchase or lease, and hold real estate for the purposes aforesaid, and to sell or lease any part they may desire, by deed or other conveyance; to borrow money for the benefit of said company, not exceeding one third the estimated value of the realty proposed to be hypothecated, at a rate of interest not exceeding eight per cent.; but not to have or exercise the privilege of loaning or issuing bills or notes upon banking privileges; also, after the company be organized, shall have the power to ordain and establish such by-laws, ordinances, and regulations as shall be necessary for the well-being and government of said corporation, and not contrary to the laws of this State or of the United States.

Capital stock. § 2. That the capital stock be one hundred thousand dollars, divided into shares of ten dollars each.

Stock regulated. § 3. That the president and directors shall regulate the proportion of stock which may be issued to each member on application.

Meeting to be held for purpose of organization. § 4. That the corporation, or a majority of them, shall hold a meeting as soon after the passage of this act as possible, for the purpose of organizing by the election of a president, vice president, secretary, and treasurer, these officers to constitute a board of directors, and to hold their offices for one year, or until others are elected; and at the expiration of each year an election for said officers to be held where a majority of the directors may designate, where the office for transacting their business shall be located; and notice to be given in one or more newspapers in the city of Lexington or Louisville of the time and place of holding said election, for one month before the time of said election, for one week; and each stockholder shall have one vote for every share he or she may own;

Elections—when held.

How stock voted, proxy, &c.

and any stockholder not present at any such meeting or election may vote by proxy, such proxy being a stockholder attending such meeting or election, and presenting his authority from his principal, duly authenticated by two subscribing witnesses to his or her name, under seal.

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§ 5. That at every annual meeting it shall be the duty of the secretary to report in writing the financial condition of the corporation, its acts and doings, and at all times to have his books ready for inspection by the board of directors; and also, at said meeting to declare the dividends, directing the treasurer to settle and pay the same in conformity with his report: *And further*, That the dividends may be declared and paid to stockholders half yearly, quarterly, or when the directors shall order; that the treasurer is at all times authorized to deposit money belonging to the corporation in any good and solvent bank in the city of Lexington, and at the risk of the corporation and stockholders.

Secretary to report at annual meetings.

May declare dividends.

§ 6. That nothing in this act shall be so construed as to confer banking powers or privileges to this company.

No banking powers.

§ 7. This act shall take effect from and after its passage.

Approved March 3, 1865.

CHAPTER 1323.

AN ACT to amend an act, entitled "An act to incorporate the Cumberland River Oil and Salt Company."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section third of the act, entitled "An act to incorporate the Cumberland River Oil and Salt Company," be, and is hereby, amended by striking out the words "one million," and inserting the words "five hundred thousand" in the place thereof.

§ 2. This act shall take effect from its passage.

Approved March 3, 1865.

CHAPTER 1324.

AN ACT for the benefit of Ervin Anderson, late Clerk of Graves Circuit Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Ervin Anderson, late clerk of the Graves circuit court, have the further time of two years to list and collect his fee bills, subject to all the pains and penalties now provided by law for issuing or collecting illegal fee bills.

§ 2. This act shall take effect from its passage.

Approved March 3, 1865.

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CHAPTER 1326.

AN ACT to incorporate the American Mills Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Samuel G. Stuart, Jefferson Halley, John B. Huston, and their associates and successors, are hereby made a body-corporate and politic, with perpetual succession, and the right to have a common seal, which they may change and alter at pleasure, by the name and style of the "American Mills Petroleum Company," and by that name may contract and be contracted with, in any matter pertaining to the business and object of the corporation, sue and be sued, plead and be impleaded, in any court.

Capital stock.

§ 2. The capital stock of said company shall be two hundred thousand dollars, to be divided into shares of fifty dollars each. The whole or any part of said capital stock may be subscribed in real estate, lands, mines, and mining rights or leases on the same, machinery, fixtures, or such other personal property as may, in the opinion of the directors of said company, be necessary to facilitate and promote the objects of said corporation. Said company may organize so soon as five hundred shares are subscribed as herein provided.

Business of corporation.

§ 3. The intent and objects of said corporation shall be the mining, excavating, and boring for petroleum, rock, coal, or carbon oil, or other valuable mineral or volatile substances, coal, iron, or other minerals, and the manufacturing, refining, and transporting to market and selling or disposing of the same or any part of the products of their mines or property; and for this purpose said company shall have power to purchase, acquire, hold, sell, and convey, and dispose of any lands, mines, mining rights, leases, or real estate, or any interest therein, not exceeding fifteen thousand acres at one time, and also purchase, own, or sell, such buildings, machinery, tools, fixtures, and personal property as they may need or acquire in the management of their said business; and to make all contracts and do all acts; appoint and employ all necessary agents, officers, and employes; make such by-laws, rules, and regulations, not inconsistent with this act and the constitution and laws of the United States or of this State, which said company may deem proper and necessary to conduct said company's affairs and carry out the intention of its creation, or for the prudential management of its property and interests, or for the disposition of the property thereof for the uses of said company or the stockholders thereof.

Stock personal estate.

§ 4. The shares of the capital stock of said company shall be personal property, and shall be assignable on the books of said company in such modes as shall be prescribed in its by-laws.

§ 5. Said company may make such by-laws as they choose, and may prescribe the time, place, and election of officers, the appointment of agents, laborers, and other employes, the admission of members, filling of vacancies, meetings of directors, and for elections, duties of officers, agents, and employes, and times of payment thereof, and manner of recovering or enforcing payment of stock, or forfeiture thereof, and in general prescribing the prudential management of the affairs of said company.

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§ 6. The affairs of said company shall be managed by a president to be chosen from the directors, and not less than three nor more than seven directors, to be chosen by the stockholders at such times and places as may, by the by-laws, be prescribed. The directors may, by by-laws, prescribe the manner and mode of selecting a treasurer and secretary, and may require the treasurer to give bond in a sum not less than five thousand dollars, and the secretary not less than three thousand dollars, conditioned for the faithful and honest discharge of their respective duties.

Who to manage affairs of corporation.

Officers to be appointed.

§ 7. The officers first chosen shall hold their offices until the next annual election after they are chosen; after that, all others shall be chosen annually, and hold their offices for one year and until their successors are qualified; in all elections or votings of the stockholders, each share of stock shall count one vote, which may be cast in person or by proxy in such mode as the by-laws may prescribe.

Term of office.

How stock voted.

§ 8. Nothing herein shall be construed as granting banking powers to said corporation; but said company may exercise and enjoy all other privileges heretofore granted to similar associations for similar purposes.

No banking powers.

§ 9. The corporators named in this act may open books for subscription of stock, and fix the time and place of holding the election of officers who are to manage said company until the first annual election of officers.

May open books.

§ 10. This act shall take effect from its passage.

Approved March 3, 1865.

CHAPTER 1328.

AN ACT to incorporate the Fleming Petroleum and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That F. W. Allen, John T. Fleming, D. K. Weis, and their associates, be, and they are hereby, created a body-politic and corporate, by the name of the Fleming Petroleum and Manufacturing Company, and by that name the said company shall be competent to contract and be contracted with, sue and be sued, in all courts of competent jurisdiction in this Commonwealth; and with full

Corporators' names, and corporate powers.

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power and authority to themselves and their successors to acquire, hold, possess, use, and enjoy such lands, rents, tenements, hereditaments, franchises, goods, chattels, property, and effects, for the purpose of conducting the business of sinking wells and shafts, and mining for petroleum and other mineral substances, and of engaging in manufacturing, and such other branches of business as may be profitable to said corporators, their associates or successors, in the State of Kentucky.

Capital stock.

§ 2. The capital stock of said company shall not exceed one million of dollars, which may be divided in such number of shares as said company may determine, and said corporation may sell or dispose of as many shares of said stock, in such manner as a majority of said corporators may fix upon, but none of said stock shall be sold for any sum above par by said company.

May construct railroads.

§ 3. Said company is empowered to construct roads or railways of double or single track, to any or all of their mines, wells, or manufacturing establishments, and for such purpose may cross or pass along highway or water-course: *Provided*, That said highway is in no way obstructed by the erection of such roads or railways, or the navigation of any such water-courses shall, in nowise, be obstructed by the erection of such roads or railways: *And provided further*, That the previous consent of the owner or owners of lands upon which said company may enter for the purpose of constructing such roads be first obtained.

May sell and convey real estate.

§ 4. Said company may also sell and convey, lease, mortgage, and pledge any real estate or franchises, or personal property and effects of said company, in such manner as may become necessary in transacting or facilitating the business of said company; and said company may have and use a common seal, and the same alter, amend, break, or renew at pleasure; and they shall also have the power of making and executing such by-laws, rules and regulations, as shall be necessary and proper for the good government of said company and the prudent management of its affairs.

Who to manage affairs of corporation.

§ 5. Said company shall have the power to appoint any one or more of its members, or other persons, to manage, control, and direct the business of said company according to the by-laws, rules and regulations which said company may, from time to time, adopt.

How capital stock to be paid

§ 6. The subscribers to the capital stock of said company shall pay the same, in such sums and at such times as may be prescribed by the by-laws of said company; and should any subscriber to the capital stock of said company fail to pay the amount so subscribed by him, within the time prescribed in the by-laws of said company, after being notified thereof, then and in that event the stock of such

delinquent subscriber may be declared to be forfeited as provided for in the by-laws of said company, together with all previous partial payments, which may have been made by such delinquent subscriber; and the same, when forfeited, shall inure to the benefit of said company, or said delinquent subscriber may be sued for any unpaid amount due upon his or her stock, at the option of the managing agents or officers of said company.

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§ 7. Said company, when fully organized, shall cause a book to be opened, and kept subject to the inspection of any member of said company, which book shall contain the names of all the members of said company, the number of shares of stock owned by each; and said shares may be transferred in the manner to be prescribed in the by-laws of said company.

Record of shareholders & No. of shares to be kept.

§ 8. Said company may commence operations at any time after the passage of this act.

When to commence operations.

§ 9. Each stockholder shall have as many votes as he has shares of stock in said company, and certificates of stock shall be issued as the by-laws may direct; and dividends may be declared yearly or half-yearly, as may be fixed by the by-laws; and said company shall have a lien on the stock of any stockholder for any debt he may owe to said company.

How stock voted.

§ 10. Said company may own all such barges, steamboats, or other water craft as may be deemed necessary in the transportation of the products of said company, and other things, from one point to another on any navigable stream, either in or out of this State.

May own barges, steamboats &c.

§ 11. That this act shall take effect from its passage.

Approved March 3, 1865.

CHAPTER 1329.

AN ACT to incorporate the Grant's Lick Salt, Mining, and Petroleum Company, for Campbell County, Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Thos. L. Jones, James Taylor, R. T. Thornton, J. S. G. Burt, F. M. Webster, R. H. Caldwell, James R. Morin, and R. T. Baker, or such of them as shall act herein, their associates, successors, and assigns, be, and are hereby, created a body corporate and politic, by the name and style of the "Grant's Lick Salt, Mining, and Petroleum Company," with perpetual succession, and full power to contract and be contracted with, sue and be sued, and to acquire by purchase, conveyance, or other lawful mode which a natural person may do; and to hold, use, occupy, and enjoy any real or personal property which the

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corporation by its directors may deem desirable, and with full power to sell, convey, lease, assign, transfer, or otherwise dispose of any part thereof; and with full power of exploring for minerals, and making surveys, charts, and maps of lands; and of boring, digging, or mining for coal, petroleum, salt, or other minerals, and of manufacturing, refining, or analyzing any mineral or other substances obtained from the earth; and of disposing of the products of the labors of the company by sale, shipment, transfer, transportation, or any other lawful mode; also to make roads and to erect necessary buildings and machinery for carrying on the business of the company; and generally to do and perform whatsoever shall lawfully pertain to such corporate bodies, and which a natural person may lawfully do; and may have and use a corporate seal.

§ 2. The said incorporators who shall act herein are hereby vested with full power to organize said company under this act, and shall constitute the first board of president and directors, a majority of whom shall form a quorum to do business, and they shall have full power to appropriate, sell, assign, transfer, and dispose of the shares of the capital stock of the company in such manner and on such terms as they may deem most advisable; with full power to manage and conduct the business of the corporation until their successors shall be duly elected and qualified.

§ 3. The capital stock of the company shall not exceed, at the time of its organization, the sum of five hundred thousand dollars, but may thereafter be increased, as the company may deem necessary, to one million dollars; the shares of stock shall be twenty dollars each, and shall be assignable and transferable under the rules and regulations of the company.

§ 4. After the said first board of directors, the business of the company shall be conducted by a board of five directors, one of whom shall, by the votes of the others, be elected president; the first and all subsequent boards shall have power, from time to time, to appoint a secretary, treasurer, and other officers, and to employ all such agents, professors, mechanics, and laborers, as the business of the company may require; to remove or discharge them at pleasure; to fix and agree upon their compensation; and may require of the secretary and treasurer, or any employe of the company, bond and security for the performances of their respective duties; and may make all such by-laws, rules, and regulations as they may deem necessary for the government of the company, its officers and affairs; and shall have power to borrow money for the use of the company, not exceeding at any time one half of the capital stock, and at a rate of interest not exceeding ten per cent. per annum; and they may mort

gage or pledge any part of the property or effects of the corporation for the payment of the same, and may execute the notes of the company therefor, and may, also, sell the bonds of the company to an amount not exceeding one half of the capital stock, but shall not in any manner engage in the business of banking.

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§ 5. Elections for directors shall be held at such times and places, and under such rules and regulations, as the board shall establish; each stockholder shall be entitled to one vote for each share held by him, and may vote by proxy duly authorized in writing. The board of directors so elected shall hold their office for one year and until their successors are duly elected and qualified; any vacancy occurring in the board may be filled by a vote of the remaining members; and in case of the absence of the president, the board may appoint one of their number president, *pro tem.*, and none but stockholders shall be members of the board.

§ 6. This act shall take effect and be in force from and after its passage.

Approved March 3, 1865.

CHAPTER 1330.

AN ACT to incorporate the Eastern Kentucky Oil and Mineral Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That H. C. Lilly, R. B. Jamison, A. D. Powell, Isaac N. Cardwell, J. H. Gardner, Joseph Blackwell, Robert Riddell, jr., H. C. Dickerson, Thomas H. Barnes, Jas. K. Barnes, of Estill county, Kentucky, K. F. Hargis, Jas. F. Blount, David Price, J. G. McGuire, of Owsley county, Kentucky, Thos. P. Cardwell, W. D. Cardwell, of Breathitt county, Kentucky, Elijah Patrick and Reuben Patrick, of Magoffin county, Kentucky, and all such other persons as may hereafter become stockholders, shall be, and are hereby, made a body corporate, under the name of the "Eastern Kentucky Oil and Mineral Company," and by that name shall be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded, in all courts and places whatsoever; and shall have and possess all powers incident to corporations; may have and use a common seal, change, alter, and renew the same at pleasure.

Corporators' names, and corporate powers.

§ 2. That said corporation hereby created may be capable to acquire by purchase, gift or lease, receive, hold, and enjoy, and again to sell, lease, or otherwise dispose of, such lands as may be in their judgment necessary and useful for said corporation to develop the mineral resources of the State of Kentucky.

May hold lands

1865.

Powers of corporation.

§ 3. That said company shall have power to bore, mine, excavate, explore, or dig for iron, coal, salt, oil, lead, copper, and all other minerals or mineral substances in any or all such lands as they now own, either by purchase, lease, or otherwise acquired, or which they may hereafter obtain or acquire by purchase or lease; and after having obtained said minerals or mineral substances, they shall have power to manufacture and refine said minerals or mineral substances, and prepare them for market, and sell and dispose thereof at such time and in such manner as to said company shall seem most expedient; that the said company shall have power to erect all such improvements, houses, and machinery, for the purposes aforesaid, as they may deem expedient, upon such lands now owned or leased by them, or such as they may hereafter purchase or lease in said State of Kentucky.

Board of directors, president, &c.

§ 4. The stock, property, and concerns of said corporation shall be managed by a president and board of seven directors, all of whom shall be stockholders, who shall hold their offices for one year and until their successors are duly elected and qualified; that there shall also be a treasurer and secretary for said company, who shall be elected at the same time and place of the president and directors aforesaid, and hold their offices for the same time; that the president, directors, treasurer, and secretary shall be chosen on the first Monday in April, each and every year, at the principal office of the company, which shall be kept in the town of Irvine, and county of Estill, State of Kentucky; and public notice of said election shall be given, not less than twenty days previous, in one or more newspapers printed in the cities of Louisville and Lexington, Kentucky, and by written or printed notice at the principal office of said company; and each stockholder shall, at such election, be entitled, in person or by proxy, to as many votes as he or she shall hold shares of the capital stock of said corporation; and the persons having or receiving in such elections the greatest number of votes, and being stockholders, shall be capable of serving by virtue thereof until another election shall have been had, and the officers aforesaid qualified. The president and directors so chosen may appoint such other officers, superintendents, and agents, and assign such compensation as they shall think fit, not less than a majority of the whole number of directors being present when the same shall be done; and all vacancies occurring by death, resignation, or otherwise, among the president, directors, or other officers named in this act, or those hereafter to be chosen, shall be filled by such person or persons as the remainder of the directors for the time being, or a majority of them, shall appoint for

When to be chosen.

Public notice to be given.

How stock voted.

Officers to be appointed.

Vacancies.

that purpose. That Isaac N. Cardwell shall be the first president, and R. B. Jamison, A. D. Powell, H. C. Lilly, Thos. H. Barnes, Joseph Blackwell, David Price, and Jno. G. McGuire, shall be the first directors of the said corporation; that J. H. Gardner shall be the first treasurer, and Robt. Riddle, jr., shall be the first secretary of the said corporation, all of whom shall hold their offices until the first Monday in April next, and until others are legally chosen and qualified.

1865.

First board of directors.

§ 5. The capital stock of said corporation shall be one hundred thousand dollars, which shall be divided into shares of twenty-five dollars each, and transferable in such manner as the by-laws of said corporation may prescribe; said shares shall be treated and held as personal estate; it shall be lawful for the president and directors of said corporation, or a majority of them, from time to time, to call for and demand from the stockholders, respectively, all such sums of money by them subscribed, at such times, and in such proportions, as they shall deem proper, under pain of forfeiting the shares of said stockholders, and all previous payments thereon, if such payments shall not be made within thirty days after the day fixed for that purpose, by public notice previously published for the space of thirty days in the newspapers aforesaid, and at the principal office of said company, and notice sent by mail to said stockholders to their residences or last known places of residence, if within the State of Kentucky, designating the proportion of such payment per share, and the time and place when, and the officer to whom the same shall be required to be made: *Provided, however,* The president and directors of said corporation, two thirds thereof concurring, shall have power to remit the forfeiture of said stock or any part thereof: *And provided further,* That said president and directors shall not have power to call for more than thirty per cent. upon each share of stock subscribed within any one year.

Capital stock

Personal estate
Calls on stock.

§ 6. The books for subscription to said stock shall be opened in the town of Irvine, Kentucky, and remain open until the required sum shall be subscribed, or for any number of days at a time, not exceeding thirty, under the direction of the board of directors, or such of them as shall be designated by the board for that purpose.

Books to be opened.

§ 7. The corporation hereby created by its president and directors shall have power to declare such dividends among the stockholders as they may see fit. But no dividend shall be made to and among the stockholders except from and out of the net profits of said corporation.

May declare dividends.

§ 8. In case it should at any time happen that an election shall not be made upon the day designated by this act for that purpose, the said corporation shall not for that

Corporation not dissolved if election not held at regular time.

1865.

Board for
transaction of
business.

cause be deemed to be dissolved; but it shall be lawful to hold such election on such other days as shall be prescribed by the by-laws of the said corporation.

§ 9. A majority of the directors, for the time being, shall form a board for the transaction of the business of the said corporation, and shall have the power to make and enforce such by-laws and regulations as they shall deem expedient for the government, management, and disposition of the stock, effects, profits, and concerns of the said corporation: *Provided*, That the same are not contrary to the constitution or laws of the United States or of this State.

Record of
transactions to
be kept.

§ 10. The directors shall at all times keep, or cause to be kept, proper books in which shall be regularly entered all transactions and business of the said corporation, which books shall be opened to the inspection of any stockholder of said corporation.

May enforce
collection of
debts, &c.

§ 11. The president and directors of this corporation shall have power to enforce by appropriate actions, in any court having jurisdiction thereof, all such shares of stock and other debts due and owing the corporation.

Capital stock
may be increas-
ed.

§ 12. The capital stock of this corporation may be increased, from time to time, as in the opinion of the president and directors they may deem expedient, not exceeding five hundred thousand dollars; and this corporation shall have perpetual succession.

Treasurer to
give bond.

§ 13. The treasurer of this corporation shall give such bond, with good and approved security, as required by the president and directors of this corporation, and shall be required to renew said bond whenever required by said president and directors.

May obtain
right of way.

§ 14. This corporation shall have power to obtain, by voluntary grant or purchase, all necessary right or rights of way, or timber, stone, or other materials, for any and all necessary roads for the uses and purposes of this corporation.

How right of
way may be ob-
tained.

§ 15. Should it become necessary for the purposes of this corporation to obtain the right of way to or over any lands, timber, stone, or other materials, or which cannot be had by the consent of the owners thereof, then said corporation shall, by their president and directors, engineers, agents, or other officers, have the right to enter upon any such lands for the purposes aforesaid, and obtain and condemn the same in the mode and manner as prescribed in the Revised Statutes, in chapter one hundred and three, title "Turnpike and Plank Roads."

§ 16. The Legislature reserves the right to alter, amend, or repeal this charter at pleasure.

§ 17. This act shall take effect from and after its passage.

Approved March 3, 1865.

CHAPTER 1331.

1865.

AN ACT to incorporate the Paint Lick Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That F. F. Farror, R. H. Henry, J. P. Vincent, Geo. Carpenter, F. Gray, J. Hearn, Thomas B. Vincent, Orange Noble, and A. H. Gray, and their associates and successors, are hereby created a body-politic and corporate, by the name and style of the "Paint Lick Oil and Mining Company;" and by that name said incorporation shall have power to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places as a natural person, forever; and to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this State and the United States.

Corporators' names, and corporate powers.

§ 2. The said company shall have power to purchase, lease, acquire, and hold such real estate, in the State of Kentucky and elsewhere, by leases, in fee simple, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and in any other manner search for oil, coal, salt, iron, and any other mineral products and deposits in the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market, any or all of said mineral products, oil, or deposits aforesaid, and to transport or sell the same in or out of this State; to buy, erect, or construct all buildings, machinery, tools, fixtures, and personal property deemed necessary or proper in carrying on said business or any part thereof; to sell, convey, transfer, or assign, all or any part or interest in said estate, real or personal, corporeal or incorporeal, and to exercise any necessary or proper power to carry out the expressed powers herein granted. Said company may hold its main office within or out of this State, as the board of directors may decide is best for the interest of the company. Said company shall not have nor exercise any banking powers; but it may borrow money upon such bonds or other evidences of debt as the board of directors may direct, to be executed in such sums, and at such times, and in such places, and at such rate of interest, not exceeding ten per centum per annum, as the board of directors may deem advisable; and they may execute mortgages upon any or all the property of the company to secure the payment of such debts, from time to time, as may be created.

May hold real estate.

Powers of corporation.

§ 3. The capital stock of said company shall not exceed four millions of dollars, to be divided into shares of twenty

Capital stock.

1865.

First board of directors.

May open books.

When to commence operations.

President and other officers to be appointed.

Annual elections.

How stock voted.

May appoint agents.

dollars each, which shares shall be personal property, and shall be indorsed and transferred as prescribed by the by-laws of the company. The board of directors may fix the capital stock at first at a less sum than four millions of dollars, and increase the same, from time to time, as they may deem expedient, but not above said sum. The said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of forfeiture of stock subscribed for and not paid in as required by call; and when not less than fifty thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business; and the board, or a majority thereof, shall organize by electing one of their number to be president of the company. The president and directors shall have power to appoint a secretary, treasurer, and such other inferior officers as the company, from time to time, may require, fix their salaries, and prescribe their duties as well as those of the president, and the time such inferior officers shall hold their respective positions, and may require and take from all officers such bonds as may be necessary to secure a faithful discharge of their duties, and may remove such inferior officers at pleasure.

§ 4. The president and directors shall provide by the by-laws for the annual election by the stockholders of a board of directors of not less than five nor more than nine, who, when elected, in each year shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in their by-laws.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings for any purpose, and must be voted by the holder in person or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not at the time, in good faith, own in his own exclusive right at least five shares of the capital stock of said company paid up in full.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary agents, employes, and operatives for said company.

§ 7. The said company may, from time to time, as it may deem proper, make, declare, and pay dividends or profits, and distribute its net receipts and proceeds of sales among the stockholders *pro rata*, according to the amount of stock held by each.

1865.

May declare dividends.

§ 8. This act shall be in force from and after its passage.

Approved March 3, 1865.

CHAPTER 1333.

AN ACT to incorporate the Kentucky Insurance Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. P. Sedwick, Milton Bell, John Sedwick, E. L. VanWinkle, J. R. Page, and all other persons who may hereafter associate with them in the manner herein prescribed, shall be, and are hereby, constituted a body-corporate and politic, by the name and style of the "Kentucky Insurance Company," and by that name may sue and be sued, appear, prosecute, and defend, in any court of record or other court or place whatsoever; and may have and use a common seal, and alter, break, and renew the same at pleasure; may purchase and hold such personal and real estate as may be necessary to effect the object of their association, and may sell and convey the same at pleasure: *Provided*, Such real estate shall not exceed in value, at any one time, the sum of fifty thousand dollars, except such as may be taken for debts due the company, or as part of the guarantee capital; may make, establish, and put in execution such by-laws, ordinances, and resolutions, not being contrary to the laws of this State or of the United States, as may be necessary or convenient for their regulation and government, and for the management of their affairs, and do and execute all such acts and things as may seem necessary to carry into effect the provisions of this act.

Corporators' names, and corporate powers.

§ 2. The affairs of said company shall be managed by a board of directors, to consist of not less than five nor more than fifteen members or stockholders, as may be regulated by the by-laws of said company; and said directors shall be chosen by ballot from among the members or stockholders of this company; and a majority of the whole board shall constitute a quorum for the transaction of business, until said board shall consist of more than five directors, after which, the president and two directors shall constitute a quorum.

Board of directors to manage, and how chosen.

1865.

First board of
directors, an-
nual election.
&c., when and
how held.

§ 3. The persons named in the first section of this act are hereby constituted a board of directors, to serve as such until the first annual election, and until others are chosen; which annual election shall be held on the first Monday in April of each year; such election shall be held at the office of the company, at such hour of the day as the directors shall, for the time being, appoint, notice of which shall be given in one of the newspapers printed nearest the principal office, at least twenty days immediately preceding such election; and such election shall be holden under the inspection of the members or stockholders to be appointed previous to every election by the president, and such election shall be made by a plurality of the votes of the members and stockholders, allowing each member one vote for each policy held by him, her, or them, held and in force in this company, and each stockholder one vote for each share of stock; and the board of directors are hereby authorized, at any of their meetings, to provide a form for the appointment of proxies, and to specify the evidence that shall be required in execution thereof; the board of directors shall hold their offices for one year and until others are chosen; and vacancies occurring in the board may be filled at any of their meetings.

Board to elect
President and
other officers.
Executive com-
mittee.

Examiners,
agents, &c.

§ 4. The board of directors shall elect a president, vice president, secretary, and treasurer, who shall hold their offices for one year and until others are chosen; the board of directors may also appoint an executive committee from among their number, and such committee, when the board is not in session, may exercise all the powers vested in this company, except when the company has by its by-laws otherwise provided; the board of directors may appoint examiners, agents, and such subordinate officers as they may deem necessary, who shall hold their offices during the pleasure of the executive committee.

Corporation
not dissolved if
election not
held at regular
time.

§ 5. If it shall, at any time, happen that the election of directors shall not be held or made on a day when, in pursuance to this act, it ought to have been held or made, this corporation shall not for that cause be deemed to be dissolved, but it shall be lawful on any other day to hold and make an election of directors, notice of which shall be given as is herein prescribed.

Rates of insur-
ance how fixed.

§ 6. The rates of insurance shall be fixed and regulated by the executive committee, and premium notes may be received from the insured, which shall be paid at such time or times, in such sum or sums, as the directors shall, from time to time, require for the payment of the debts of the company; the executive committee may also fix the amount that each member or policy-holder shall pay at the time of making application for insurance; and any party applying for insurance so electing, may pay a defi-

Amount policy
holder shall
pay at time of
insurance.

nite sum of money in full for insurance, and in lieu of a premium note.

1865.

§ 7. If it shall ever so happen that the whole amount of deposit notes should be insufficient to pay the losses occasioned by any fire or fires, in such cases the sufferers insured by said company shall receive towards making good their respective losses a proportionate dividend of the whole amount of said notes, according to the sum by them respectively insured, and in addition thereto a sum to be assessed on all the members of said company, not exceeding fifty cents on every hundred dollars by them respectively insured; and no member shall ever be required to pay for any loss occasioned by fire at any time more than fifty cents on each one hundred dollars insured in said company, in addition to the amount of his deposit note, nor more than the amount of any such loss after his note shall have been paid in and expended; but any member, upon the payment of his deposit note, and surrendering his policy before any subsequent loss or expense has occurred, may be discharged from said company.

Proceedings in case deposit notes not sufficient to pay losses.

§ 8. That all and every person and persons, who shall at any time become interested in said company by insuring therein, and also their respective heirs, executors, administrators, and assigns, continuing to be insured therein as hereinafter provided, shall be deemed and taken to be members thereof, for and during the time specified in their respective policies, and no longer, and shall at all times be concluded and bound by the provisions of this act.

Persons insuring in company deemed members.

§ 9. The members of this company shall be, and are hereby, bound and obliged to pay their proportion of all losses and expenses happening and accruing during the time for which they insured; and the said company shall have a lien on all buildings insured as against the insured, including the right, title, and interest of the insured to the lands on which said buildings are situated, and belonging thereto, for the payment of said premium notes, or the cash notes which may have been given for the cash premium.

Members of company bound to pay proportion of losses.

§ 10. Applications for insurance shall state all the material facts and circumstances affecting the risk.

Applications on insurance.

§ 11. It shall be lawful for this company to re-insure any risk, or any part of any risk, on which they have made insurance.

May reinsure.

§ 12. The home office of this company shall be located in the city of Frankfort; but the board of directors may establish branch offices at other points, not exceeding three, for the transaction of business; and whenever a majority of the members and shareholders may direct, may change the location of the home office to any other point within the State.

Home office, & branch offices.

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Evidence in an action.

§ 13. When an action is brought for the recovery of any assessment on any premium note, or on any note given for premium to this company, the certificate of the president and secretary, under seal of the company, stating the amount due the company on any such note or notes, shall be taken and received as *prima facie* evidence thereof in all courts and places whatsoever.

May maintain suits.

§ 14. Suits at law may be maintained by this company against any of its members, and suits may also be maintained by any member against the company; and in any suit between the company and any of its members, any member shall be admitted as a competent witness for and in behalf of this company.

Deputy secretary.

§ 15. It shall be lawful for the secretary of this company to appoint a deputy, which appointment shall be approved by the board of directors.

What may insure.

§ 16. The said company may insure against loss or damage by fire, of any building or buildings or other property, and also against loss or damage by lightning, wind, rain, or flood, tornado, or any other risk that they may deem proper; to make insurance upon all descriptions of boats and vessels, the cargo and freights thereof, and upon bottomry and respondentia interest against the perils of marine and inland navigation, and charge and receive such premium therefor as may be agreed by and between the parties:

Policy made void in certain cases.

§ 17. If any alteration should be made in any house or building by the proprietor thereof, after insurance has been made thereon with said company, whereby it may be exposed to greater risk or hazard from fire than it was at the time it was insured, then and in every such case the insurance made upon such house or building shall be void, unless an additional premium deposit, after such alteration, be settled with and paid to the directors; but no alteration or repairs in buildings, not increasing such risk or hazard, shall in anywise affect the insurance previously made thereon.

§ 18. If any insurance on any house or building shall be and subsist in said company, and in any other office, or from and by any other person at the same time, the insurance made in and by said company shall be deemed and become void, unless such double insurance subsist by and with the consent of the directors, signified by indorsement on the back of the policy, signed by the secretary.

No. of assessments for losses in one year.
May borrow money.

§ 19. The directors of said company shall not make more than one assessment for losses in any one year; and they shall settle and pay all losses at one uniform period subsequent to the annual assessment. The directors, or a majority of them, are authorized, in cases of any loss or damage by fire, to borrow such sum or sums of money as may be

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necessary to pay such loss or damage: *Provided*, That members sustaining loss or damage by fire shall be allowed interest thereon from the time due notice has been given of said loss, until payment is made.

§ 20. Each and every member of said company shall be entitled and allowed an examination of the books, papers, and general transactions of said company, upon application thereof to the secretary.

Books open to examination.

§ 21. The directors shall, after receiving notice of any loss or damage by fire sustained by any member, and ascertaining the same, or after the rendition of any judgment as aforesaid against said company for such loss or damage, settle and determine the sums to be paid by the several members thereof as their respective proportions of such loss, and publish the same in such manner as they shall see fit, or as the by-laws may have prescribed; and the sum to be paid by each member shall always be in proportion to the original amount of his premium note or notes, and shall be paid to the treasurer within thirty days next after the publication of said notice; and if any member shall, for the space of thirty days after such notice, neglect or refuse to pay the sum assessed upon him, her, or them, as his, her, or their proportions of any loss as aforesaid, in such cases the directors may sue for and recover the whole amount of his, her, or their deposit, note, or notes, with costs of suit; and the money thus collected shall remain in the treasury of said company subject to the payment of such losses and expenses as have or may thereafter accrue; and the balance, if any remain, shall be returned to the party from whom it was collected, on demand, after thirty days from the time for which insurance was made.

Directors to settle and determine losses, &c.

Penalty for failing to pay sum assessed.

§ 22. That any person or persons who are or shall become members of said company by effecting insurance therein, their heirs, executors, administrators, or assigns, who shall neglect or refuse the payment of any assessments duly ordered by the directors of said company, for the term of thirty days after the same shall have become payable, agreeable to public notice by the treasurer, the party so in default shall be excluded and debarred, and shall lose all benefit and advantage of his, her, or their insurance respectively, for and during the term of such default or non-payment, and, notwithstanding, shall be liable and obliged to pay all assessments that shall be made during the continuance of his, her, or their policies of insurance.

§ 23. That in all cases where real or personal property insured by said company shall become alienated by sale, by change in partnership or ownership, or otherwise, the policies issued thereon shall be void, and shall be surren-

When property insured by company is sold policy void.

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dered to said company to be canceled, and said company shall not be liable for any loss and damage which may happen to any property after such alienation as aforesaid, unless the policies issued thereon shall have been duly assigned or confirmed by the consent of the directors to the actual owner or owners thereof, previous to such loss and damage; and no policy issued by said company shall be deemed to have been duly assigned or confirmed, unless the consent of the directors to such assignment or confirmation is certified in such policy by the secretary of the company.

Capital stock.

§ 24. The cash premiums, together with the premium notes, shall constitute the capital stock of said company, which may be increased by a guarantee capital as hereinafter provided.

May receive
guarantee
notes.

§ 25. For the better security of the policy-holders, the said company may receive guarantee notes or mortgages on real estate, to be approved by the board of directors, or by the executive committee thereof, to the amount of two hundred thousand dollars, the makers whereof shall be paid in consideration of such guarantee a compensation to be determined by the board of directors, but not to exceed six per cent. per annum; such notes or mortgages shall be entitled to representation in the election of directors, in the ratio of one vote for every one hundred dollars, and shall be liable for the losses and expenses of the company; whenever the cash premiums and premium notes are insufficient to pay the same, scrip certificates may be issued for such guarantee fund, transferable only on the books of the company.

May invest
funds of com-
pany.

§ 26. The board of directors may invest and employ the funds of the company in such way and manner as they may judge the interest and welfare of the company requires; but nothing contained in this act shall be so construed as to authorize said company to perform any banking privileges, or to issue any certificate of deposit to circulate as money or currency.

May make in-
surance on
lives.

§ 27. The said company may make insurance on lives, by sea, on water, and on shore, and make all kinds of contracts, in which the casualties of life are principally involved, upon such terms and in such manner as may be prescribed by the by-laws of the company.

§ 28. This act shall be deemed a public act, and be liberally construed for the purposes therein contained, and subject to the statutes now in force governing private corporations.

Approved March 4, 1865.

CHAPTER 1334.

1865.

AN ACT to amend the charter of the town of Hodgenville, Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the marshal of the town of Hodgenville may, and it shall be lawful for him to reside within one half mile of the court-house of said town.

§ 2. This act to take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1335.

AN ACT to change the County line between Rockcastle and Jackson Counties.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county line between the counties of Jackson and Rockcastle be so changed as to include Jones French's residence, on Horse Lick creek, in Rockcastle county.

§ 2. This act to be in force from its passage.

Approved March 4, 1865.

CHAPTER 1336.

AN ACT for the benefit of Isaac Wingate, jr.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the treasury in favor of Isaac Wingate, jr., for the sum of twenty-four dollars and fifty cents, which the Treasurer will pay, being expenses incurred at Louisville by removal of the seat of government during the invasion of Kentucky.

§ 2. This act shall be in force from its passage.

Approved March 4, 1865.

CHAPTER 1337.

AN ACT for the benefit of James W. Tate.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Treasurer in favor of James W. Tate, for the sum of fifty-nine dollars and twenty cents, which the Treasurer will pay, being ex-

1865. penses incurred at Louisville by removal of the seat of government during the invasion of Kentucky.

§ 2. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1338.

AN ACT to amend an act, entitled "An act to incorporate the Covington Street Railway Company," approved February 9, 1864.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the eleventh section of an act, entitled "An act to incorporate the Covington Street railway company," approved February 9, 1864, is hereby repealed.

§ 2. That this act shall take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1340.

AN ACT to incorporate the Agassiz Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That E. D. Tyler, Theo. Harris, E. M. Kerr, C. W. Wright, Rob't Gibson, and R. B. Hall, of the city of Louisville, Kentucky, and their successors and assigns, are hereby created a body-politic and corporate, by the name of the "Agassiz Oil and Mining Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this Commonwealth.

May hold real estate.

Powers of corporation.

§ 2: That said company shall have power to purchase and hold such estate in Kentucky and elsewhere, by lease, in fee, or otherwise; and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products and deposits in the earth; to extract, take out, develop, smelt, refine, reduce, manufacture, and prepare for market any or all of said mineral products or deposits, and to transport and sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property deemed necessary or proper in the carry-

1865.

ing on of said business, or any part thereof; to sell, convey, transfer, assign all or any part or interest in any of said estate, real or personal, corporeal or incorporeal; and to exercise any necessary and proper power to carry out the express powers herein granted; but nothing herein contained shall be construed as granting to the said company any banking powers.

§ 3. The capital stock of said company shall not exceed one million dollars, to be divided into shares of ten dollars each; which shares shall be personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company; and the said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment, and the grounds of forfeiture of stock subscribed and not paid in as required; and when not less than one hundred thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business, and the board, or a majority thereof, shall organize by electing one of their number to be president of the company and to preside at meetings of the board.

Capital stock.

First board of directors.

May open books.

When to commence business.

§ 4. The said president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than three nor more than seven directors, who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in the by-laws.

Annual elections, president, term of office, &c.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings, and must be voted by the holder in person, or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not own at least five shares of the said capital stock.

How stock voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all the necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and security of such of its officers, and in such amount and penalty, as it may deem proper, the better to secure the faithful discharge of their duties.

Officers to be appointed.

1865.

May declare
dividends.

§ 7. And the said company may, from time to time, as it may see proper, make, declare, and pay dividends of profits, and distribute its net receipts and proceeds of sales amongst the stockholders pro rata, according to the amount of stock held by each.

§ 8. This act shall take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1341.

AN ACT to incorporate the West Union Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That W. C. Hite, R. A. Watts, J. B. Smith, L. M. Flournoy, J. T. Boyle, A. H. Hager, and A. O. Durland, be, and they are hereby, created a body-politic and corporate, by the name of the "West Union Oil Company," for the term of thirty years, with all the powers and rights incident to corporations, for the purposes hereinafter mentioned; and the above named persons shall be, and constitute, the first board of directors, and hold office for one year, or until their successors are elected by a majority in interest of the stockholders, any four of whom shall constitute a quorum; and may fill any vacancy resulting from death, refusal to act, or otherwise.

§ 2. The corporation hereby created is authorized and empowered to acquire and hold lands, in fee simple or by lease, and to bore, mine, and excavate for petroleum, salt, and other minerals on said lands, and to vend and refine the same; but the lands so acquired and purchased shall not exceed in value five hundred thousand dollars, which is hereby declared to be the capital stock of the said "West Union Oil Company," which may be divided into shares of not less than five dollars, nor more than one hundred dollars each share; which may be issued and transferred on the books of the company in the manner prescribed by the by-laws thereof, which the board of directors are authorized to adopt for the management of the affairs and business of the company, not inconsistent with the constitution and laws of the State.

§ 3. Whenever one hundred thousand dollars is subscribed, and ten per cent. thereof paid, the said directors, or any three of them, shall give notice of time and place for the election of a new board of directors, who shall hold office for one year, and until their successors are chosen; stockholders may vote by proxy or as provided by the by-laws; the company may establish offices at any place they deem proper, and appoint secretary, treasurer, and

other officers fixed by their by-laws. Any of the incorporators named herein may open books of subscription, and receive subscriptions to the capital stock of said company, and the books may be opened and closed at such times and places as a majority of the directors shall deem proper.

1865.

§ 4. This act shall take effect from its passage; and the Legislature hereby reserves the right to alter, amend, or repeal this act at pleasure.

Approved March 4, 1865.

CHAPTER 1342.

AN ACT to incorporate the Cumberland Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Thos. M. Howe, Nicholas Veeder, Curtis G. Hussey, George W. G. Payne, and John Nicholson, jr., their associates, successors, and assigns, be, and they are hereby, constituted a body-corporate and politic, by the name and style of "Cumberland Oil Company," and by that name and style shall have perpetual succession, with power to contract and be contracted with, sue and be sued in that name, in all courts and places; to have a common seal, alterable at pleasure; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals, and in the manufacturing, refining, preparing for market, transporting, and selling oil and salt, and other products of said business, and of the lands now owned, or which may hereafter be owned by them in this State; to hold their meetings and transport and sell their oil, salt, and other products within or without this State, and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

§ 2. That said corporators may organize said company by the appointment of a president and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given, and when thus organized, the said company shall have power to make such by-laws, rules, and regulations, as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the constitution and laws of the United States or of this State.

§ 3. The capital stock of said company shall be three hundred thousand dollars, and said company shall have power to increase the same, from time to time, not to exceed a total amount of one million dollars.

1865.

§ 4. The said company may buy, lease, or rent, any suitable lands, mines, oil and salt rights and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise; they may receive real estate, leaseholds, mining and boring rights, and rights of way, in payment of such part of subscriptions as they may deem advisable; said company may erect and build on any of their lands such buildings, engines, machinery, and fixtures, as may be deemed convenient and proper for carrying on and conducting the business of said corporation.

§ 5. That this act shall take effect from and after its passage, and the right to repeal, alter, or amend this charter is reserved to the General Assembly.

Approved March 4, 1865.

CHAPTER 1343.

AN ACT to incorporate the Lyell Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That E. D. Tyler, Theodore Harris, E. M. Kerr, C. W. Wright, and Robert Gibson, of the city of Louisville, Kentucky, and their successors and assigns, are hereby created a body-politic and corporate, by the name of the "Lyell Petroleum Company;" and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this Commonwealth.

May hold real estate.

Powers of corporation.

§ 2. That said company shall have power to purchase and hold such estate in Kentucky and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other mineral products and deposits in the earth; to extract, take out, develop, smelt, refine, reduce, manufacture, and prepare for market any or all of said mineral products or deposits, and to transport and sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property deemed necessary or proper in the carrying on of said business, or any part thereof; to sell, convey, transfer, or assign all or any part or interest in any of said estate, real or personal,

corporeal or incorporeal; and to exercise any necessary and proper powers to carry out the express powers herein granted; but nothing herein contained shall be construed as granting to the said company any banking powers.

1865.

§ 3. The capital stock of said company shall not exceed one million dollars, to be divided into shares of ten dollars each, which shares shall be personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company; and the said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment, and the grounds of forfeiture of stock subscribed for and not paid in as required; and when not less than one hundred thousand dollars are subscribed, and such portion thereof paid in as the said directors shall require to be paid in cash, the company may proceed to business; and the board, or a majority thereof, shall organize by electing one of their number to be president of the company, and to preside at meetings of the board.

Capital stock.

First board of directors.

May open books.

When to commence operations.

§ 4. The said president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than three nor more than seven directors, who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may by the provisions of the by-laws constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in the by-laws.

Board of directors, president, &c.

§ 5. Each share of stock shall entitle the holder to one vote at the elections of directors or in stockholders' meetings, and must be voted by the holder in person or by virtue of a written proxy, signed by the holder; and no person shall be voted for or hold the office of director who does not own at least five shares of the said capital stock.

How stock voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all the necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and security of such of its officers, and in such amount and penalty, as it may deem proper, the better to secure the faithful discharge of their duties.

Officers to be appointed.

§ 7. And the said company, from time to time, as it may see proper, make, declare, and pay dividends of

May declare dividends.

1865. profits, and distribute its net receipts and the proceeds of sales among the stockholders, pro rata, according to the amount held by each.

§ 8. This act shall take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1344.

AN ACT to incorporate the Breckinridge Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That William B. Belknap, John G. Barrett, Arthur Peter, Robert Skene, Erastus D. Tyler, Elijah M. Kerr, and Lafayette Leonard, of the city of Louisville, Kentucky, and their successors and assigns, are hereby created a body-politic and corporate, by the name of the "Breckinridge Oil and Mining Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company, and the conduct of its business, not inconsistent with the constitution and laws of this Commonwealth.

May hold real estate.

Powers of corporation.

§ 2. That said company shall have power to purchase and hold such estate, in Kentucky and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products, and deposits in the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, and prepare for market, any or all of said minerals, products, or deposits, and to transport and sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property deemed necessary or proper in the carrying on of said business or any part thereof; to sell, convey, transfer, or assign, all or any part or interest in any of said estate, real or personal, corporeal or incorporeal, and to exercise any necessary and proper powers to carry out the express powers herein granted; but nothing herein contained shall be construed as granting to the said company any banking powers.

Capital stock.

§ 3. The capital stock of said company shall not exceed one million dollars, to be divided into shares of one hundred dollars each, which shares shall be personal property, and shall be evidenced and transferable as prescribed by

the by-laws of the company; and the said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment and the grounds of forfeiture of stock subscribed for and not paid in as required; and when not less than one hundred thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business; and the board, or a majority thereof, shall organize by electing one of their number to be president of the company, and to preside at meetings of the board.

1865.

First board of directors.

May open books.

§ 4. The said president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than five nor more than nine directors, who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in the by-laws.

Board of directors.

Vacancies.

§ 5. Each share of stock shall entitle the holder to one vote at the elections of directors or in stockholders' meetings, and must be voted by the holder in person or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not own at least five shares of the said capital stock.

How stock voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all the necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and security of such of its officers, and in such amount and penalty, as it may deem proper, the better to secure the faithful discharge of their duties.

Officers to be appointed.

§ 7. And the said company may, from time to time, as it may see proper, make, declare, and pay dividends of profits and distribute its net receipts and the proceeds of sales amongst the stockholders, pro rata, according to the amount of stock held by each.

§ 8. This act shall take effect from and after its passage.

Approved March 4, 1865.

1865.

CHAPTER 1345.

AN ACT to incorporate the Monroe Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That Pack 'Thomas, Edwin S. Graham, and F. S. J. Ronald, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name, style, and title of the "Monroe Oil Company," and by that name and style and title are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

Capital stock.

When to com-
mence oper-
ations.

§ 2. The capital stock of said company shall be three hundred thousand dollars, to be divided into shares of five dollars each; said company may, however, commence operations as soon as thirty thousand dollars of said capital stock shall be subscribed and fifteen thousand dollars thereof paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors of said company at such times as may seem to them best.

May hold real
estate.

Business of
corporation.

§ 3. The said company shall have the power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same and other products of lands now owned by them or which may hereafter be owned by them; to purchase, build, and own boats and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights and real estate as they may deem necessary for the successful prosecution of their business, and the same, or any part thereof, to sell or otherwise to dispose of, as the interests of said company may require.

Board of di-
rectors, pres-
ident, &c.

§ 4. For conducting the affairs of said company a board of five directors shall be chosen; said board shall choose one of its number, who shall be the president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The president and directors shall have power to appoint all officers, agents, and servants under them, and to remove them at pleasure. In all elections each share shall entitle the holder to one vote; and stockholders may vote by proxy.

§ 5. The stock of said company shall be deemed personal estate. 1865.

§ 6. Books for the subscription of stock may be opened at any time and place and closed again at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named. Stock personal estate. May open books.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow or obtain on loan such sums of money, and on such terms as they may deem expedient, for the use of said company; and to pledge or mortgage all or any part of the estates, improvements, effects, privileges, and assets of said company for the repayment of such sums of money so borrowed, at such times as may be agreed upon. May borrow money.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue for and recover the same. Stock may be forfeited.

§ 9. Said company shall have, possess, and enjoy all rights, powers, privileges, and immunities conferred by law in this State upon any other company chartered for similar purposes; and shall be liable to the control of the Commonwealth in the same manner as such companies are by the terms of their charters or the laws of the State.

§ 10. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1346.

AN ACT to incorporate the London and Paris Coal, Oil, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§. 1. That Jas. B. Wilder, J. H. Lindenberger, John B. Smith, E. S. Graham, and Pack Thomas, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name, style, and title of the London and Paris Oil, Coal, and Mining Company, and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law. Corporators' names, and corporate powers.

1865.

Capital stock.
When to com-
mence oper-
ations.

§ 2. The capital stock of said company shall be five millions of dollars, to be divided into shares of one hundred dollars each; said company may, however, commence operations as soon as fifty thousand dollars of said capital stock shall be subscribed, and thirty thousand dollars thereof paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors of said company at such times as may seem to them best.

May hold real
estate.

Business of
corporation.

§ 3. The said company shall have the power to purchase, negotiate for and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same and other products of lands now owned by them, or which may hereafter be owned by them; to purchase, build, and own boats and other necessary machinery and implements for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights and real estate as they may deem necessary for the successful prosecution of their business, and the same, or any part thereof, to sell or otherwise dispose of as the interests of said company may require.

Board of di-
rectors, pres-
ident, &c.

Officers to be
appointed.

§ 4. For conducting the affairs of said company a board of five directors shall be chosen. Said board shall choose one of its number who shall be the president of said company, and said board shall serve for one year, or until their successors are elected and qualified; the president and directors shall have power to appoint all officers, agents, and servants under them, and to remove them at pleasure. In all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy.

Stock personal
estate.

§ 5. The stock of said company shall be deemed personal estate.

May open
books.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

May borrow
money.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow or obtain on loans such sums of money, and on such terms as they may deem expedient, for the use of said company, and to pledge or mortgage all or any part of the estates, improvements, privileges, effects, and assets of said company for the repayment of said sums of money so borrowed, at such times as may be agreed upon.

Stock may be
forfeited.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

§ 9. Said company shall possess, have, and enjoy all rights, powers, privileges, and immunities conferred by law in this State upon any other company chartered for similar purposes, and shall be liable to the same control by the State, and responsibilities thereto, as such companies are by the laws of their charters and the laws of the Commonwealth.

1865.

§ 10. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1347.

AN ACT to incorporate the Sonora Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Edwin S. Graham, G. W. Caruth, and H. C. Caruth, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name, style, and title of the "Sonora Oil Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

Corporators' names, and corporate powers.

§ 2. The capital stock of said company shall be three hundred thousand dollars, and may be increased or diminished fifty per cent. by a vote of a majority of the stockholders at any time upon a notice of ten days, to be divided into shares of ten dollars each; said company may, however, commence operations as soon as thirty thousand dollars of said capital stock shall be subscribed, and ten thousand dollars thereof paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors of said company at such times as may seem to them best.

Capital stock.

When to commence operations.

§ 3. The said company shall have the power to purchase, negotiate for, and hold as much real estate, in fee simple or by lease, as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same and other products of lands now owned by them or which may hereafter be owned by them; to purchase, build, and own boats and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights and

May hold real estate.

Business of corporation.

1865.

real estate as they may deem necessary for the successful prosecution of their business, and the same, or any part thereof, to sell or to otherwise dispose of, as the interests of said company may require.

Board of directors,
president, &c.

§ 4. For conducting the affairs of said company a board of five directors shall be chosen; said board shall choose one of its number, who shall be president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The president and directors shall have power to appoint all officers, agents, and servants under them, and to remove them at pleasure. In all elections each share shall entitle the holder to one vote; and stockholders may vote by proxy.

Stock personal
estate.

§ 5. The stock of said company shall be deemed personal estate.

May open
books.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

May borrow
money.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow or obtain on loans such sums of money, and on such terms, as they may deem expedient for the use of said company; and to pledge or mortgage all or any part of the estates, improvements, privileges, effects, and assets of said company for the repayment of said sums of money so borrowed, at such times as may be agreed upon.

Stock may be
forfeited.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

§ 9. Said company shall have, possess, and enjoy all rights, powers, and privileges and immunities conferred by law in this State upon any other company chartered for similar purposes; and shall be liable to the same responsibilities to the State as such companies are by the terms of their charters or by the laws thereof.

§ 10. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1348.

AN ACT to incorporate the Kentucky Mining, Manufacturing, and Rock Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That G. Frank Hayman, Wm. C. Neff, J. D. Hinde, G. J. Thomas, F. M. Webster, O. S. Biggstaff, and James D. Smith, their associates, successors, and assigns, be, and

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are hereby, created a body corporate and politic, by the name of the "Kentucky Mining, Manufacturing, and Rock Oil Company," with perpetual succession, and full power to contract and be contracted with, sue and be sued, and to acquire by purchase, deeds of conveyance, lease, or other lawful mode, any real or personal property which the board of directors may deem advisable in the course of the business of the company; and the same, or any part thereof, to sell, convey, lease, or otherwise dispose of, and with full power of mining, developing, and producing coal, iron, salt, petroleum, or coal oil, &c., and of manufacturing, marketing, and trading in the same, with all incidental powers pertaining to said business; to make roads, and to erect machinery, buildings, &c., for carrying on the business of the company, and generally to do and perform whatsoever shall lawfully pertain to such corporate bodies, and which a natural person might lawfully do; and may have and use a corporate seal.

§ 2. The capital stock of said company shall not exceed (\$500,000) five hundred thousand dollars, and shall be divided into shares of \$20 each.

Capital stock.

§ 3. That the above named corporators, or such of them as shall act, shall have power to organize said company, and for that purpose shall meet, and form themselves into a board of directors for the first year, and until their successors are elected and qualified; and may appoint a president of the board, and a secretary and treasurer; that after the organization of the company, as above provided, the board of directors shall have power to appropriate, sell, assign, transfer, and dispose of part, or all, of the capital stock of the company, in such manner and proportion, and on such terms and conditions, and under such rules and regulations, as the board from time to time may adopt, not inconsistent with the constitution or laws of this State or the United States.

Board of directors, president, &c.

§ 4. The shares of stock shall be transferable, and the board may make such rules and regulations in regard thereto as they may determine upon; and may, from time to time, make all such rules, regulations, and by-laws as they may deem necessary and proper for the good government of the company, its officers, agents, and affairs.

Stock transferable.

§ 5. Elections for directors shall be held at such time and place as the board shall appoint; the said directors shall hold their offices for one year, and until their successors are duly elected and qualified; each board shall appoint one of their number president, and in his absence the board may appoint a president pro tem. The first, or any subsequent board of directors, may, from time to time, borrow money for the use of the company, not exceeding the capital stock of the company, and at a rate of interest not exceeding

Elections.

President, &c.

May borrow money.

1865.

No banking
powers.Secretary and
Treasurer.

ten per cent. per annum, and may issue the bonds or notes of the company therefor, in sums not less than one hundred dollars, and may mortgage and pledge any of the property or assets of the company therefor; to issue bonds, with or without coupons, and sell the same, at any rate of discount that shall be found desirable, and which may be convertible, in whole or in part thereof, into stock of the company; and the capital stock of the company shall be increased accordingly; but, in no manner or respect, shall said company engage in the business of banking; a majority of the board shall constitute a quorum to transact business; it shall be the duty of the board to appoint a secretary and treasurer, and require of them bonds, with good security, for the faithful discharge of their respective duties, and may also employ all such other agents and officers as they may deem necessary, and discharge them at pleasure, and may fill any vacancies occurring in the board.

§ 6. The General Assembly reserves the right to amend or repeal this act at pleasure.

§ 7. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1349.

AN ACT to incorporate the Union Rock Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That E. D. Tyler, Thomas B. Overton, Alanson Moreman, and Wesley Flood, of the city of Louisville, Kentucky, and their successors and assigns, are hereby created a body-politic and corporate, by the name of the "Union Rock Oil Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company, and the conduct of its business, not inconsistent with the constitution and by-laws of this Commonwealth.

May hold real
estate.Powers of cor-
poration.

§ 2. That said company shall have power to purchase and hold such estate, in Kentucky and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products and deposits in the earth; to extract, take out, develop, smelt, refine, reduce, manufacture, and prepare for market, any or all of said minerals,

products, or deposits, and to transport and sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property deemed necessary or proper in the carrying on of said business or any part thereof; to sell, convey, transfer, or assign, all or any part or interest in any of said estate, real or personal, corporeal or incorporeal, and to exercise any necessary and proper power to carry out the express power herein granted; but nothing herein contained shall be construed as granting to the said company any banking powers. • 1865.

§ 3. The capital stock of said company shall not exceed one million dollars, to be divided into shares of ten dollars each, which shares shall be personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company; and the said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment and the grounds of forfeiture of stock subscribed for and not paid in as required; and when not less than one hundred thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall be required to be paid in cash, the company may proceed to business; and the board, or a majority of them, shall organize by electing one of their number to be president of the company, and to preside at meetings of the board.

Capital stock.

First board of directors.

May open books.

When to commence operations.

§ 4. The president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than three nor more than seven directors, who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided for in the by-laws.

Annual elections.

President.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings, and must be voted by the holder in person or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not own at least five shares of the capital stock.

How stock voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all the necessary secretaries, treasurers, cashiers, and other agents, employes, and

Officers to be appointed.

1865.

operatives, and for requiring bond and security of such of its officers, and in such amount and penalty, as it may deem proper, the better to secure the faithful discharge of their duties.

May declare
dividends.

§ 7. And the said company may, from time to time, as it may see proper, make, declare, and pay dividends of profits and distribute its net receipts and the proceeds of sales amongst the stockholders, pro rata, according to the amount of stock held by each.

§ 8. This act shall take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1350.

AN ACT to incorporate the Cumberland Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky: •

§ 1. That S. P. Cope, J. D. Landrum, W. T. Chiles, R. K. Williams, and L. S. Trimble, their associates, successors, and assigns, be, and they are hereby, created a body corporate, by the name, style, and title of the "Cumberland Mining Company," and by that name are hereby made as capable in law as natural persons to contract and be contracted with, sue and be sued, plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and proper for the conducting and government of said corporation, not inconsistent with the constitution and laws of the United States.

§ 2. The capital stock of said company shall be two millions of dollars, to be divided into shares of not less than five nor more than fifty dollars each; said company may commence operations as soon as twenty-five thousand dollars shall be subscribed, and five thousand dollars thereof paid in; and the remaining portion of said stock may be issued and sold by the board of directors of said company at such times as to them may seem best.

§ 3. The said company shall have power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, zinc, and other minerals, and in the manufacture of the same and other products of lands now owned or leased by them, or which may be hereafter owned or leased by them; to purchase, build, and own boats and barges and other necessary implements and machinery for carrying on said business; to hold such mining rights, and rights of way and real

1865.

estate, as they may deem necessary for a successful prosecution of their business, and the same, or any part, to sell, or otherwise dispose of, as the interests of said company may require; with full power to lay out and build all necessary railways; with the same power to condemn lands, and under the same restriction, so far as passage and freight and right of way may be necessary, as the Louisville and Nashville railroad company.

§ 4. For conducting the affairs of said company a board of directors of not less than three nor more than five shall be chosen; said board shall choose one of its members, who shall be president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The president and directors shall have power to appoint all other officers, agents, and servants, and remove the same at pleasure. In all elections one share shall entitle the holder to one vote; and stockholders may vote by proxy; the stock of said company shall be deemed personal estate.

§ 5. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure.

§ 6. That it shall be lawful for the president and directors of said company, from time to time, to borrow or obtain on loans such sums of money, and on such terms, as they may agree for the use of said company; and to pledge or mortgage all or any part of the estate, improvements, franchises, or privileges, effects, and assets of said company for the repayment of any money so borrowed, at such times as may be agreed on.

§ 7. In the event of a failure of any stockholder to pay up his stock as called for by order of the board, the share or shares of such stockholder may be forfeited by the president and directors, or they may sue and recover the same.

§ 8. This act to take effect from its passage.

Approved March 4, 1865.

CHAPTER 1351.

AN ACT to incorporate the Cumberland and Rockcastle Iron, Coal, Oil, Salt, and Lumber Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Isaac Shelby, sr., Dr. C. Graham, Leslie Combs, Beriah Magoffin, A. G. Gower, and W. A. Gunn, and their associates and successors, be, and they are hereby, created a body politic and corporate, by the name and style of the "Cumberland and Rockcastle Iron, Coal, Oil, Salt, and Lumber Company," and by that name shall have perpetual succession, may contract and be contracted with, sue and

Corporators' names, and corporate powers.

1865. be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company, not inconsistent with the constitution and laws of this State or of the United States.
- Capital stock.** § 2. The capital stock of said company shall not exceed five hundred thousand dollars, which shall be divided into shares, subscribed and paid for in such manner as said company may, by its by-laws, prescribe.
- Who to manage affairs of corporation.** § 3. That said company shall have power to appoint any one or more of its members, or other persons, to manage, control, and direct the business of said company, according to the by-laws, rules, and regulations which said company may adopt.
- May hold real estate.** § 4. That said company may acquire and hold such real and personal estate, by contract, as they may deem necessary or proper for the carrying on the mining of coal, the procuring and manufacture of salt, iron, oil, and lumber, and the transportation thereof to market, together with such quantities of land as may be necessary for the establishment of forges, furnaces, mills, and landings, machinery, and depots for the same.
- Record of shareholders, & No. of shares held by each, to be kept.** § 5. The said company, when fully organized, shall cause a book to be opened, and kept subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred on said books in the manner to be prescribed by the by-laws of said company; and each member shall share the profits and liabilities of said company to the extent of, and in proportion to, the amount of capital stock he owns in said company, and no further.
- No banking powers.** § 6. Nothing contained in this charter shall be construed into conferring banking powers upon this company.
- § 7. This act to take effect from its passage, and remain in force thirty years, if not sooner repealed by the General Assembly.

Approved March 4, 1865.

CHAPTER 1352.

AN ACT for the benefit of L. W. Harrod and surety.

WHEREAS, On the 18th May, 1863, a negro man called Edmund, the reputed slave of John Ogden, of Louisiana, was, by the order of the Franklin county court, sold by the sheriff of said county under the laws then in force in relation to runaway slaves, and L. W. Harrod became the purchaser, and, with George E. Frazier as surety, executed

his bond to the Commonwealth for the purchase money ; and whereas, it is represented that said Edmund was, previous to the time of his arrest as a runaway, captured by the United States military authorities from the military forces of the so-called Southern Confederacy ; therefore,

1865.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon said facts being shown to the satisfaction of the said county court, the said court shall be, and hereby is, authorized and directed to cancel said bond: *Provided*, That before said cancellation shall be made said Harrod shall pay to the jailer, sheriff, clerk, and taker-up of said slave, all costs, fees, and rewards to which they may be entitled ; and shall also execute a bond, with good surety, to the Commonwealth, conditioned that he will save the Commonwealth free from all liability by reason of said cancellation, which bond shall be approved by said court and transmitted to the Auditor of Public Accounts..

§ 2. This act to take effect from its passage.

Approved March 4, 1865.

CHAPTER 1353.

AN ACT to incorporate the Ohio and Kentucky Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Henry Deppen, Julius Von Borries, Wm. Kreigshaber, Theodore Swartz, and Isaac Wolfe, be, and the same are hereby, created a body-corporate, by the name of the "Ohio and Kentucky Petroleum and Mining Company," and that they and their successors have power and authority to use a common seal, and to break or alter the same as they may deem fit ; and that by that name they are made capable to sue and be sued, to plead and be impleaded, in the courts of this Commonwealth and elsewhere.

Corporators' names, and corporate powers.

§ 2. They are hereby granted the right to acquire title to land, by purchase or lease, to contract and be contracted with, to sell or lease lands acquired by them, to explore the lands purchased or leased by them, to mine, to dig, to bore for petroleum, for salt, coal, iron, and other products, to prepare the same for market, and to ship and sell the same, on and from any lands acquired and held by them, and do whatever else they may deem necessary for the furtherance of their business not inconsistent with the laws of this Commonwealth, and within the purview of this charter.

May hold lands

1865.

May make by-laws.

§ 3. They shall have power and authority to ordain and establish such by-laws and regulations, for the government of their affairs, as may be deemed necessary by them, not inconsistent with the laws of this Commonwealth, or with the provisions of this charter.

Capital stock.

§ 4. The capital stock of the said corporation shall be one million of dollars, and consist of two hundred thousand shares of five dollars each.

Stock to be regulated.

§ 5. That the president and directors shall regulate the proportion of stock which may be issued to each member on application.

May open books.

Board of directors, president, & officers to be elected.

§ 6. As soon as convenient, after the passage of this act, the corporators herein named shall open books of subscription, and whenever the sum of fifty thousand dollars is subscribed, the stockholders shall proceed to an election of president, cashier, secretary, and a board of directors, consisting of five members, all of whom must be holders of shares in the corporation, to serve for the term of one year, and until their successors are elected; and thereafter there shall be an election annually, for the officers and directors as aforesaid, on such a day, and upon such notice, as shall be fixed in the by-laws of said corporation.

How stock voted.

§ 7. The officers and directors shall be elected by a majority of shares, each share counting one vote, either by the person holding the said share or shares or by proxy.

No banking powers.

§ 8. That nothing in this act shall be so construed as to confer banking privileges upon the said corporation; and the General Assembly reserves the right to change, amend, or repeal this charter at pleasure.

§ 9. This act shall take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1356.

AN ACT to incorporate the Metcalf Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Theo. Harris, Rob't B. Hall, E. D. Tyler, R. A. Maxwell, D. A. Petty, and J. H. Turner, of the city of Louisville, Kentucky, and their successors and assigns, are hereby created a body-politic and corporate, by the name of the "Metcalf Oil and Mining Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and conduct of its busi-

ness, not inconsistent with the constitution and laws of this Commonwealth.

1865.

§ 2. That said company shall have power to purchase and hold such estate in Kentucky and elsewhere, by lease, in fee, or otherwise ; and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business ; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products and deposits in the earth ; to extract, take out, develop, smelt, refine, reduce, manufacture, and prepare for market any or all of said mineral products or deposits, and to transport and sell the same in or out of this State ; to buy, erect, or construct all machinery, tools, fixtures, and personal property deemed necessary or proper in the carrying on of said business, or any part thereof ; to sell, convey, transfer, or assign all or any part or interest in any part of said estate, real or personal, corporeal or incorporeal ; and to exercise any necessary and proper powers to carry out the express powers herein granted ; but nothing herein contained shall be construed as granting to the said company any banking powers.

May hold real estate.

Powers of corporation.

§ 3. The capital stock of said company shall not exceed one hundred thousand dollars, to be divided into shares of twenty-five dollars each ; which shares shall be personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company ; and the said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified ; and they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment, and the grounds of forfeiture of stock subscribed for and not paid in as required ; and when not less than twenty-five thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business, and the board, or a majority thereof, shall organize by electing one of their number to be president of the company and to preside at meetings of the board.

Capital stock.

First board of directors.

May open books.

When to commence operations.

§ 4. The said president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than six nor more than nine directors, who, when elected in each year, shall choose one of their number as president as aforesaid ; and the president and directors shall hold their offices until their successors are elected ; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies

Board of directors, president, &c.

Term of office, vacancies, &c.

1865. in the board occurring between annual elections, as shall be provided in the by-laws.

How stock voted. § 5. Each share of stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings, and must be voted by the holder in person, or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not own at least five shares of the said capital stock.

Officers to be appointed. § 6. The said by-laws may provide for the appointment, employment, and payment of all the necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and surety of such of its officers, and in such amount and penalty, as it may deem proper, the better to secure the faithful discharge of their duties.

May declare dividends. § 7. And the said company may, from time to time, as it may see proper, make, declare, and pay dividends of profits, and distribute its net receipts and the proceeds of sales amongst the stockholders pro rata, according to the amount of stock held by each.

§ 8. This act shall take effect from and after its passage; and the right to alter, amend, or repeal this charter is reserved to the General Assembly.

Approved March 4, 1865.

CHAPTER 1357.

AN ACT to incorporate the Kentucky Grain Separator and Agricultural Implement Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

Corporators' names, and corporate powers. § 1. That J. R. Thomas, A. H. Hager, A. G. Story, J. T. Boyle, S. B. Thomas, S. E. DeHaven, O. Ladue, R. Ball, and J. B. Gill, and their successors, be, and they are hereby, created a body-corporate and politic, by the name of the "Kentucky Grain Separator and Agricultural Implement Manufacturing Company," for the term of fifty years, with all the powers and authority incident to corporations; to make and have a common seal, and the same to alter or amend at pleasure; to sue and be sued; to be capable, by their corporate name, of purchasing, holding, and conveying any estate, real or personal, necessary or desirable to enable them to carry on the business of their corporation.

May hold real estate, &c. § 2. The corporation is hereby authorized to purchase real estate, and construct machinery to build and construct grain separators, Beater hay presses, and other agricultural implements, and to manufacture said implements and vend the same in the State of Kentucky, in accordance with the laws of the United States and this State; and to this end

may purchase all necessary material of iron, timber, lumber, or other material necessary for same.

§ 3. The capital stock of said company shall be five hundred thousand dollars, and may be divided into shares of not less than ten dollars nor more than one hundred dollars per share; and said company may issue and transfer said stock according to the rules and regulations adopted by the board of directors of said company; the amount of the capital stock may be increased, not to exceed one million dollars.

§ 4. The affairs of said company shall be managed by a board of seven directors, a majority of whom shall constitute a quorum for the transaction of business; the said directors shall elect one of their number to be president of the company, and no person shall continue a director unless he be at the same time a stockholder in said company; the first board of directors shall consist of J. R. Thomas, A. H. Hager, A. G. Story, O. Ladue, J. T. Boyle, R. Ball, and J. B. Gil, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said company; and the board of directors chosen by the stockholders of said company shall continue in office for one year, or until their successors are elected; if any of the above named directors shall fail or refuse to act, a majority of the others may fill the vacancy by appointing some other stockholder in their stead; the said board of directors may adopt such rules and by-laws for the government of the affairs and business of said company as they may deem proper, and as are not inconsistent with the constitution and laws of this State. The said incorporators, or a majority of them, may open books of subscription and receive subscriptions of stock to the capital stock of the said Kentucky Grain Separator and Agricultural Implement Manufacturing Company herein incorporated, and may open and close said books of subscription at such time and places, and on such notice, as said board of directors may deem proper.

§ 5. The board of directors of said company are authorized to open offices for the conduct and management of their business at such place or places as they may deem proper, and make such rules to regulate the issuing and transfer of the stock of said company, at their principal office, as they may deem proper.

§ 6. This act shall take effect from its passage.

Approved March 4, 1865.

1865.

May purchase materials.
Capital stock.

Who to manage affairs of corporation.
President.

First board of directors, term of office, &c.

Vacancies.

May make by-laws.

May open books.

May open offices at different places.

1865.

CHAPTER 1358.

AN ACT to incorporate the West Liberty Coal, Oil, Lumber, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That George W. Hampton and Wm. C. Miller, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "West Liberty Coal, Oil, Lumber, Mining, and Manufacturing Company," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of business and government of said company, not inconsistent with the constitution and laws of this State or of the United States.

Capital stock.

§ 2. The capital stock of said company shall be two hundred and fifty thousand dollars, which shall be divided into shares of one hundred dollars each, to be issued and transferred in such manner and upon such terms and conditions as the board of directors of such may prescribe by their by-laws; and the amount of said capital stock may be increased at any time by a vote of a majority of the stockholders of said company at a meeting called for that purpose: *Provided*, The capital stock shall not at any time be increased to more than one million dollars.

Who to manage affairs of corporation.

§ 3. That said company shall have power to appoint any one or more of its members, or other persons, to manage, carry on, and direct the business of said corporation according to the by-laws, rules, and regulations which said company may adopt.

May hold real estate.

§ 4. That said company may acquire and hold such real and personal estate, by contract, as they may deem necessary or proper for the carrying on the mining of coal, the procuring of salt, oil, lumber, and the manufacturing of the same, and the transportation of the same to market; together with such quantities of land as may be necessary for the establishment of mills and landings, machine shops and depots for the same.

Record of shareholders & No. of shares to be kept.

Stock transferable.

§ 5. The said company, when fully organized, shall cause a book to be opened and report, subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred on said books in the manner to be prescribed by the by-laws of said company; and each member shall share the profits and liabilities of said company to the extent and in proportion to the amount of capital stock he owns in said company.

§ 6. The provision of this act shall not be construed so as to confer banking privileges to this company.

1865.

No banking powers.

§ 7. This act to be in force from and after its passage.

Approved March 4, 1865.

CHAPTER 1359.

AN ACT to incorporate the Meeting Creek Coal, Oil, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That S. B. Thomas, S. W. Stone, and Eugene Underwood, their associates and successors, are hereby incorporated and made a body-politic, by the name and style of the "Meeting Creek Coal, Oil, and Manufacturing Company," and by that name may sue and be sued, plead and be impleaded, in all courts and places; contract and be contracted with in matters pertaining to the business and object of the corporation; and do any and all acts which a corporation may, or can do, in fulfillment of its charter and the objects and ends of its organization; may have a common seal, which it may change and alter at pleasure.

Corporators' names, and corporate powers.

§ 2. The object and purposes of the corporation shall be the mining for coal, iron ore, petroleum, carbon or rock oil, and any and all other minerals or mineral substances, the direct product of the earth, or any or all of them; and the manufacturing and refining of any or all of them, and transportation to market of the same.

Object of corporation.

§ 3. The capital stock shall be five hundred thousand dollars, to be increased by a vote of the majority of stockholders of said company to any sum not exceeding ten hundred thousand dollars, to be divided into shares of twenty dollars each; which shall be personal property, and assignable on the books of said company in such a manner as may be prescribed by its by-laws; lands and other real estate, mines, mining rights, and interests therein, may be subscribed as a part or the whole of said stock; and upon such terms as may be agreed upon by the subscribers and the company, and in pursuance of the laws for the sale and conveyance of real estate.

Capital stock.

§ 4. The stock, property, and general prudential affairs of said company shall be managed by a board of not less than three nor more than seven directors, to be chosen by the stockholders for one year; a majority in interest being necessary to a change; and each share shall count one vote: *Provided*, The directors first chosen shall hold their offices for the remainder of the current year, and until

Board of directors, president, &c.

1865.

To be stockholders.

their successors are elected, and provided a president of the board shall be elected for the same time by the directors, from among themselves or the stockholders; the president and directors shall be stockholders of the company; and they may appoint such other officers and employes as they may deem proper; a majority of the directors shall constitute a quorum to do business.

Record of stockholders & No. of shares to be kept.

§ 5. The company shall keep a book, which shall be always open to the inspection of each stockholder; in it shall be kept the names and amount of stock held, and amount of each stockholder, and the amount paid in; also a book in which shall be kept a full and faithful account of the proceedings, rules, and by-laws and acts of said company, except accounts and contracts with individuals.

May make by-laws.

§ 6. The president and directors may make such by-laws, rules, and regulations as they may deem proper, not inconsistent with the laws of the State or the United States, prescribing the times, places, and manner of holding elections, the transferring of stock, the enforcement of payment thereof, the forfeiture for non-payment, the time and manner of payment, the duties and authority of officers, agents, and employes, mode of filling vacancies, the character, kind, and amount of business, and any and all such as may be necessary for the proper, prudential, and effective management of the property and business of said company, and to effect the object and intent of this act.

May hold lands

May build railroads.

§ 7. The company shall have power to take, acquire, and hold such lands, mines, and mining rights as they may deem necessary for the uses of said company, not exceeding fifty thousand acres; and also to contract for the right of way for any and all necessary roads and railroads, and unite the same with any others on such terms as may be agreed upon, or to carry the same to any navigable stream, and to have such yards, wharves, boats, floats, &c., as may be necessary, and all personal property required to conduct the business of the company, and to dispose of any or all of the same for the use of the company or its stockholders.

§ 8. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1360.

AN ACT to incorporate the Calhoon Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Isaac Calhoon, William Berry, and William T. Owen, their associates, successors, and assigns, be, and they are hereby, created a body-corporate and politic, by

the name of the "Calhoon Oil and Mining Company," with all the powers incident to corporations, or hitherto granted any corporation within this Commonwealth, for the purposes hereinafter mentioned.

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§ 2. The corporation is hereby authorized and empowered to purchase and hold lands in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., mining coal, iron, zinc, copper, lead, and other minerals, to refine, ship, and vend the same, and to cut, raft, or float the timber from said lands, or build any and all kinds of flats, boats, mills, or other buildings, fixtures, and machinery deemed proper in order to further the operations of said corporation, or dispose of any portion or portions of its territory or other property deemed advisable, and convey the same by deed or otherwise.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct; and the capital stock may be increased if deemed proper, and the shares of stock in said corporation shall be deemed and held as personal estate.

§ 4. The affairs of said company shall be managed by three directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board of directors shall consist of Isaac Calhoon, William Berry, and William T. Owen, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors thus chosen shall continue in office for one year, or until their successors are elected; if any of the directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else; they may adopt such by-laws and rules, and alter, amend, or repeal the same, from time to time, for the government of the corporation and management of its affairs and business as they may deem proper, not inconsistent with the constitution and laws of the State.

§ 5. The said corporation, or any of them, may open books and receive subscriptions to the capital stock of said company, and may give such notice thereof, times, places, &c., as may be deemed proper. Whenever fifty thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year, or until their successors are elected as provided herein, and may make such calls of payment of stock as they deem proper, not to exceed twenty per cent. for every thirty days, and in default of payment

Capital stock.

Board of directors, president, &c.

Vacancies. May make by-laws.

May open books.

When new board to be elected, term of office, &c.

Calls on stock.

1865.

Where to keep
office.
Officers to be
appointed.

the by-laws of said company may authorize a forfeiture of stock; they may keep their office at such place or places as they may deem to the interest of the corporation; they may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as they may fix, and by their by-laws regulate and fix the mode of keeping their records; and may use a common seal, and alter the same at pleasure; and sue and be sued, and maintain any action, whether as plaintiff or defendant, in any of the courts of this Commonwealth.

No banking
powers.

§ 6. That no banking privileges are granted by this act, which shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1361.

AN ACT to incorporate the Splint, Coal, Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That Gad Davis, L. C. Waller, A. D. Waller, Smith Thomas, and Thos. W. Riley, their associates, successors, and assigns, be, and they are hereby, created a body corporate, by the name, style, and title of the "Kentucky Splint, Coal, Oil, Mining, and Manufacturing Company," and by that name are hereby made capable in law as natural persons to contract and be contracted with, to sue and be sued, plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and proper for the conducting and government of said corporation, not inconsistent with the constitution and laws of this State or of the United States.

Capital stock.

§ 2. The capital stock of said company shall be five hundred thousand dollars, to be divided into shares of twenty-five dollars each; said company may, however, commence operations as soon as twenty thousand dollars of said capital stock is subscribed, and ten thousand dollars thereof paid in; and the remaining portion of said stock may be issued and sold by the board of directors of said company at such times as they may deem proper.

May hold real
estate.

Business of
corporation.

§ 3. That said company may have power to negotiate for, purchase, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in manufacture of the same, and other products of land

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now owned by them, or which may be hereafter owned or acquired by them, by lease or otherwise; to purchase, build, and own boats, and other implements and machinery for carrying on said business; to erect all necessary buildings for its transactions; to hold such mining rights, and rights of way and real estate, as they may deem necessary for the successful prosecution of their business, and the same, or any part thereof, to sell or otherwise dispose of, as the interest of the company may require.

§ 4. For conducting the affairs of said company a board of not less than three nor more than five directors of said company shall be chosen; said board shall choose one of their members who shall be the president of said company, and said board shall serve for one year or until their successors are elected and qualified; that the president and directors shall have power to appoint all other officers, agents, and servants, and remove them at pleasure; in all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy; the stock of said company shall be deemed personal estate.

Board of directors, president, &c.

Officers to be appointed.

§ 5. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure. It shall be lawful for the president, directors, and company, from time to time, to borrow or obtain on loans such sums of money, and on such terms as they may deem expedient, for the use of said company, and to pledge or mortgage all or any part of the estate, improvements, privileges, effects, and assets of said company for the repayment of such sums of money so borrowed, at such times as may be agreed on.

May open books. May borrow money.

§ 6. In the event of failure of any stockholder to pay up his stock as called for by order of the board, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

Stock may be forfeited.

§ 7. The General Assembly reserves the right to alter, amend, or repeal this charter at pleasure.

§ 8. This act shall take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1362.

AN ACT incorporating the Buffalo Trace Oil, Coal, Mineral, Salt, Copper, Lead, Lumber, Cask, and Barrel Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That S. W. Hunt, R. C. Steele, D. R. Haggard, and H. I. Morris, be, and their successors are hereby, created a body-politic and corporate, under the name and style of

Corporators' names, and corporate powers.

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the "Buffalo Trace Oil, Coal, Mineral, Salt, Copper, Lead, Lumber, Cask, and Barrel Manufacturing Company," and by that name shall have perpetual succession, may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts of proper jurisdiction anywhere; have a common seal, may change the same at pleasure; make all necessary by-laws and regulations for the government of said company not inconsistent with the constitution and laws of the State and the constitution of the United States; that said company shall have power and authority, one or more of its members, or other person or persons, to manage, control, and direct the business of the company according to the by-laws, rules, and regulations of the company and the transaction of its business, and shall have all the rights and privileges conferred, and be subject to all the restrictions, rules, and regulations of the by-laws.

Capital stock.

§ 2. The corporate stock of said company shall be five hundred thousand dollars, with power to increase the stock at pleasure, which shall be divided into shares of fifty dollars each, unless otherwise directed by the company, which shall be subscribed and paid for in such manner as may be prescribed by said company in their by-laws; and said shares may be transferred in such manner as the said company by its by-laws may direct; said company shall have power to purchase and hold such real estate in this State as may suit the company, and may dispose of the same at the pleasure of the company, not exceeding ten thousand acres, and such personal property as they may deem necessary and proper for carrying on the mining and manufacturing purposes indicated in the title of this charter.

May hold real estate.

May construct railroads.

How right of way procured.

Officers to be elected.

§ 3. Said company are hereby authorized to construct one or more railroads, not exceeding thirty miles in length each, from any point on their lands to any other railroad or navigable stream or canal, and pass over the lands of other persons: *Provided*, They shall obtain consent of the owners by agreement, otherwise said company shall proceed to condemn the same as now prescribed by the Revised Statutes; said company shall fix a place for their organization, and shall elect a president, vice president, treasurer, and secretary, who shall hold their office for one year, or until their successors are elected and qualified.

Elections—how and when held.

§ 4. Said board shall direct when each successive election shall be holden, and shall make all the rules and regulations pertaining thereto, as well as when dividends are declared; said board shall have the right to sell as well as to obtain leases upon real estate, according to such terms as may be prescribed in the by-laws: *Provided*, A majority of the stock shall be represented in the meeting that may make, alter, or change the by-laws on this

particular subject, and in all things necessary to enable the company to develop the resources of the country that they may choose: *Provided*, That it is not inconsistent with this charter.

§ 5. This act shall take effect from its passage.

§ 6. No banking privileges are granted by this act.

Approved March 4, 1865.

1865.

CHAPTER 1363.

AN ACT to incorporate the Sulphur Lick Petroleum, Oil, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Dr. W. R. Mitchell, J. T. Miller, and their associates and successors, be, and they are hereby, created a body politic and corporate, by the name and style of the "Sulphur Lick Petroleum, Oil, and Mining Company," and by that name shall have perpetual succession, for the purpose of boring for oil, manufacturing and refining the same, mining coal, manufacturing iron and lumber upon the lands of said company situated in the counties of Marion, Nelson, and other counties in this State, or which they may hereafter acquire, with all the rights, powers, duties, and privileges contained in the act of this General Assembly, entitled, "An act to incorporate the Cloverport Oil and Coal Company," approved December 29, 1861, which act, so far as the same may be applicable, is hereby adopted and made a part of this act.

§ 2. The capital stock of said company shall be three hundred thousand dollars, with the power of increasing the same, from time to time, as said company may deem requisite, in the management and prosecution of their business, to any sum not to exceed one million of dollars; said stock to be divided into such shares as the said company may prescribe.

§ 3. This act to take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1364.

AN ACT to incorporate the Rangoon Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Jno. O. McReynolds, Jas. A. McReynolds, Jas. A. Wallace, B. H. Bristow, O. G. McReynolds, Jas. T. Clark, Wm. F. McReynolds, S. W. Kennedy, B. F. Coulter, and H. G. Petrie, and their successors, be, and they are here-

Corporators' names, and corporate powers.

1865.

by, created a body corporate and politic, by the name of the "Rangoon Oil and Mining Company," for the term of thirty years, with all the powers and authority incident to corporations; to make and have a common seal, and the same to alter and renew at pleasure; to sue and be sued; to be capable by their corporate name of purchasing, holding, and conveying any estate, real or personal, necessary to enable them to carry on the objects of their incorporation, as hereinafter mentioned.

Business of
corporation.

§ 2. The corporation is hereby authorized to bore, dig, or mine for petroleum or rock oil, coal, salt, or other minerals, on any lands within the State of Kentucky owned or held by said company in fee simple or by lease.

Capital stock.

§ 3. The capital stock of said company shall be five hundred thousand dollars, to be divided into one hundred thousand shares of five dollars each, to be issued and transferred in such manner and upon such conditions as the board of directors of such company may determine; and the amount of said capital stock may be increased at any time by a vote of the stockholders of the said company at a meeting called for the purpose.

Who to manage
affairs of cor-
poration.
President.

§ 4. The affairs of said company shall be managed by a board of directors, ten in number, five of whom shall constitute a quorum for the transaction of business; the said directors shall elect one of their number to be president of the company; and no person shall be a director in said company unless he be at the same time a stockholder there-

First board of
directors.

in; the first board of directors shall consist of the corporators named in the first section hereof, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said company; and the

Term of office,

board of directors chosen by the stockholders shall continue in office for one year, or until their successors are elected and qualified; if any of the above named directors shall

Vacancies.

decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else; they may adopt

May make by-
laws.

such by-laws, rules, and regulations for the government of said company and the management of its affairs and business as they may deem proper, not inconsistent with the

May open
books.

laws of the State. The said corporators, or any of them, may open books for subscription to the capital stock of the company herein incorporated; and such books of subscription may be opened and subscriptions received, at such times and places, and upon such notices thereof, as any three of said corporators may deem right and proper.

May erect
buildings.

§ 5. The said company are further authorized to erect proper warehouses and other buildings and machinery for the storage, refining, and bonding of petroleum, and the storage of coal and other minerals, at such place or places as may be necessary for the prosecution of their business,

and to provide for the transportation of oil, coal, or other minerals to market; and for this purpose the said company are hereby invested with the right of way for such roads and other improvements, in the same manner that turnpike road companies are authorized to acquire the right of way by the Revised Statutes of Kentucky.

1865.

§ 6. The board of directors of said company are hereby authorized to open an office for the conduct of their business at such place or places as they may deem proper; and to make such rules to regulate the issuing and transfer of stock at their principal office, as they may deem proper.

Where offices
may be opened.

Approved March 4, 1865.

CHAPTER 1365.

AN ACT to incorporate the Henry Clay Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That T. E. Hall, John B. Earnshaw, G. P. Port, Frank Fitch, Fred. Fitch, E. P. Ransom, and R. M. Collins, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Henry Clay Petroleum and Mining Company," and by that name shall have perpetual succession, may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company, not inconsistent with the constitution and laws of this State or of the United States.

§ 2. The capital stock of said company shall not exceed five hundred thousand dollars, which shall be divided into shares, subscribed and paid for in such manner as said company may, by its by-laws, prescribe.

§ 3. That said company shall have power to appoint any one or more of its members, or other persons, to manage, control, and direct the business of said company, according to the by-laws, rules, and regulations which said company may adopt.

§ 4. That said company may acquire and hold such real and personal estate, by contract, as they may deem necessary or proper for the carrying on the mining of coal and iron, the procuring and manufacture of salt, oil, and lumber, and the transportation thereof to market, together with such quantities of land as may be necessary for the establishment of mills and landings, machinery, and depots for the same; and if such land cannot be procured, said company may have the same condemned, by filing its petition for that

1865.

purpose with the clerk of the county court in which it is situated, and obtaining thereon the necessary writs of *ad quod damnum*, and procuring the regular condemnation thereof, as required by law in the condemnation of lands for the use of turnpike roads: *Provided, however*, That no property shall be so taken without the full value thereof having been first paid.

§ 5. The said company, when fully organized, shall cause a book to be opened, and report subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred on said books in the manner to be prescribed by the by-laws of said company; and each member shall share the profits and liabilities of said company to the extent of, and in proportion to, the amount of capital stock he owns in said company.

§ 6. This act to take effect from its passage, and remain in force twenty years, unless sooner repealed by the General Assembly, which right to repeal is reserved to the General Assembly.

Approved March 4, 1865.

CHAPTER 1366.

AN ACT to incorporate the Hardwick Coal, Oil, and Manufacturing Company,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That S. Benton, Marmaduke Moore, Joseph Pancoast, J. Edgar Thompson, Geo. W. Crawford, Nelson Yocum, their associates and successors, are hereby incorporated and made a body-politic, by the name and style of the "Hardwick Coal, Oil, and Manufacturing Company," and by that name may sue and be sued, plead and be impleaded, in all courts and places, contract and be contracted with in all matters pertaining to the business and object of the corporation, and any and all acts which a corporation may or can do in fulfillment of its charter and the objects and ends of its organization; may have a common seal, which it may change and alter at pleasure.

Business of
corporation.

§ 2. The object and purposes of the corporation shall be the mining for coal, iron ore, petroleum, carbon or rock oil, and any and all other minerals or mineral substances, the direct product of the earth, or any or all of them, and the manufacturing and refining of any or all of them, and transportation to market of same.

Capital stock.

§ 3. The capital stock shall be one million dollars, to be increased by a vote of the stockholders of said company, to any sum not exceeding ten million dollars, to be divided

into shares of twenty-five dollars each, more or less, as a majority of the board of directors may deem proper, which shall be personal property, and assignable on the books of said company in such a manner as may be prescribed by its by-laws; lands, and other real estate, mines, mineral rights and interests therein, may be described as a part or the whole of said stock, and upon such terms as may be agreed upon by the subscribers and the company, and in pursuance of the laws for the sale and conveyance of real estate.

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§ 4 The stock, property, and general prudential affairs of said company shall be managed by a board of not less than three nor more than seven directors, to be chosen by the stockholders for one year, a majority in interest being necessary to a change, and each share shall count one vote: *Provided*, The directors first chosen shall hold their offices for the remainder of the current year, and until their successors are elected: *And provided*, A president of the board shall be elected for the same time by the directors, from among themselves or the stockholders; the president and directors shall be stockholders of the company, and they may appoint such other officers and employes as they may deem proper; a majority of the directors shall constitute a quorum to do business.

Who to manage affairs of corporation.

President.

To be stockholders.

May appoint officers.

§ 5. The company shall keep a book which shall be always kept open to the inspection of each stockholder; in it shall be kept the names and amount of stock held, and amount of each stockholder, and the amount paid in; also a book in which shall be kept a full and faithful account of the proceedings, rules, and by-laws, and acts of said company, except accounts and contracts with individuals.

Record of stockholders & stock to be kept.

§ 6. The president and directors may make such by-laws, rules, and regulations as they deem proper, not inconsistent with the laws of the State or the United States, prescribing the times, places, and manner of holding elections, the transferring of stocks, the enforcement of payment thereof, the forfeiture for non-payment, the time and manner of payment, the duties and authority of officers, agents, and employes, mode of filling vacancies, the character, kind, and amount of business, and any and all such as may be necessary for the proper, prudential, and effective management of the property and business of said company, and to effect the object and intent of this act.

May make by-laws.

§ 7. The company shall have power to take, acquire, and hold such lands, mines, and mining rights as they deem necessary for the uses of said company, not exceeding fifty thousand acres, and also to contract for the right of way for any and all necessary roads and railroads, and unite the same with any others on such terms as may be agreed

May hold lands

1865.

upon, or to carry the same to any navigable stream, and to have such yards, wharves, boats, floats, as may be necessary; and all personal property required to conduct the business of the company, and to dispose of any or all of the same for the use of the company or its stockholders.

§ 8. This act shall take effect from this date.

Approved March 4, 1865.

CHAPTER 1367.

AN ACT to incorporate the Flora Coal, Oil, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That S. Benton, Marmaduke Moore, J. Edgar Thompson, Joseph Pancoast, G. W. Crawford, N. Yocum, their associates and successors, are hereby incorporated and made politic by the name and style of the "Flora Coal, Oil, and Manufacturing Company," and by that name may sue and be sued, plead and be impleaded, in all courts and places; contract and be contracted with in all matter pertaining to the business and object of the corporation; and do any and all acts which a corporation may or can do in fulfillment of its charter, and the objects and ends of its organization; may have a common seal, which it may change and alter at pleasure.

Business of corporation.

§ 2. The object and purpose of the corporation shall be the mining for coal, iron ore, petroleum, carbon or rock oil, and any and all other minerals or mineral substances, the direct product of the earth, or any or all of them, and the manufacturing and refining of any or all of them, and transportation to market of same.

Capital stock.

§ 3. The capital stock shall be one million dollars, to be increased by a vote of the majority of stockholders of said company to any sum not exceeding ten millions dollars, to be divided into shares of twenty-five dollars each, more or less, as a majority of the board of directors may deem proper; which shall be personal property, and assignable on the books of said company in such a manner as may be prescribed by its by-laws; lands and other real estate, mines, mining rights, and interests therein, may be subscribed as a part or the whole of said stock, and upon such terms as may be agreed upon by the subscribers and the company, and in pursuance of the laws for the sale and conveyance of real estate.

Who to manage affairs of corporation.

§ 4. The stock, property, and general prudential affairs of said company shall be managed by a board of not less than three nor more than seven directors, to be chosen by the stockholders for one year, a majority in interest being necessary to a change; and each share shall count one

vote: *Provided*, The directors first chosen shall hold their offices for the remainder of the current year, and until their successors are elected, and provided a president of the board shall be elected for the same time by the directors, from among themselves or the stockholders; the president and directors shall be stockholders of the company; and they may appoint such other officers and employes as they deem proper; a majority of the directors shall constitute a quorum to do business.

1865.

President, &c.

To be stockholders.
Officers to be appointed.

§ 5. The company shall keep a book, which shall be kept open to the inspection of each stockholder; in it shall be kept the names and amount of stock held, and amount of each stockholder, and the amount paid in; also a book in which shall be kept a full and faithful account of the proceedings, rules, and by-laws and acts of said company, except accounts and contracts with individuals.

Record of stockholders & stock to be kept.

§ 6. The president and directors may make such laws, rules, and regulations as they deem proper, not inconsistent with the laws of the State or the United States, prescribing the time, place, and manner of holding elections, transferring of stocks, the enforcement of payment thereof, the forfeiture for non-payment, the time and manner of payment, the duties and authority of officers, agents, and employes, mode of filling vacancies, the character, kind, and amount of business of said company, and any and all such as may be necessary for the proper, prudential, and effective management of the property and business of said company, and to effect the object and interest of this act.

May make by-laws.

§ 7. The company shall have power to take, acquire, and hold such lands, mines, and mining rights as they deem necessary for the uses of said company, not exceeding fifty thousand acres; also to contract for the right of way for any and all necessary roads and railroads, and unite the same with any others on such terms as may be agreed upon, or to carry the same to any navigable stream; and to have such yards, wharves, boats, floats, as may be necessary, and all personal property required to conduct the business of the company, and to dispose of any and all of the same for the use of the company or its stockholders.

May hold lands.

§ 8. This act shall take effect from this date.

Approved March 4, 1865.

CHAPTER 1369.

AN ACT to incorporate the Burning Spring Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William C. Trabue, Isaac H. Trabue, and Henry J. Trabue, their associates, successors, and assigns, be, and they are hereby, created a body-corporate and

Corporators' names, and corporate powers.

1865.

politic, by the name of the "Burning Spring Oil and Mining Company," with all the powers and authority incident to corporations, or hitherto granted any corporation within this Commonwealth, for the purposes hereinafter mentioned.

Business of
corporation.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., mining coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same, and to cut, raft, or float the timber from said lands, or build any and all kinds of flats, boats, mills, or other buildings, fixtures, and machinery deemed proper in order to further the operations of said corporation, or dispose of any portion or portions of its territory, or other property, deemed advisable, and convey the same by deed or otherwise.

Capital stock.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct; and the capital stock may be increased if deemed proper, and the shares of stock in said company shall be deemed and held as personal estate.

Board of directors,
president, &c.

§ 4. The affairs of said company shall be managed by three directors, one of whom shall be president, and all of whom shall be stockholders in said corporation, and the first board of directors shall consist of William C. Trabue, Isaac H. Trabue, and Henry J. Trabue, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors thus chosen shall continue in office for one year, or until their successors are elected. If

Vacancies.

May make by-laws.

any of the directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else; they may adopt such by-laws and rules, and alter, amend, or repeal the same, from time to time, for the government of the corporation, and management of its affairs and business, as they may deem proper, not inconsistent with the constitution and laws of the State; the said corporation, or any of them, may open books and receive subscriptions to the capital stock of said company, and give such notice thereof, times, places, &c, as may be deemed proper; whenever fifty thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year, or until their successors are elected as provided herein; and may make such calls of payment of stock as they may deem proper, not to exceed twenty per cent. for

May open
books.

When election
may be held.

every thirty days; and in default of payment, the by-laws of said company may authorize a forfeiture of stock; they may keep their office at such place or places as they may deem to the interest of the corporation; they may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as they may fix, and by their by-laws regulate and fix the mode of keeping their records; and may use a common seal, and alter the same at pleasure; may sue and be sued, and maintain any action, whether as plaintiffs or defendants, in any of the courts of this Commonwealth.

1865.

Where may keep office.

Officers to be appointed.

§ 5. No banking privileges are granted by this act, which shall take effect from its passage; and the right to alter, amend, or repeal this charter, is reserved to the General Assembly.

No banking powers.

Approved March 4, 1865

CHAPTER 1370.

AN ACT to incorporate the Jefferson Hill Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Isaac H. Trabue, Henry J. Trabue, and Wm. C. Trabue, their associates, successors, and assigns, be, and they are hereby, created a body-corporate and politic, by the name of the "Jefferson Hill Oil and Mining Company," with all the powers incident to corporations, or hitherto granted any corporation within this Commonwealth, for the purposes hereinafter mentioned.

Corporators' names, and corporate powers.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., mining coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same, cut, raft, or float the timber from said lands, or build any and all kinds of floats, boats, mills, or other buildings, fixtures, and machinery deemed proper in order to further the operations of said corporation, or dispose of any portion or portions of its territory or property deemed advisable, and convey the same by deed or otherwise.

Business of corporation.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each, and may be issued and transferred in such manner, and upon such conditions, as the board of directors of said corporation may direct; and the capital stock may be increased if deemed proper.

Capital stock.

1865.

Stock deemed
personal estate,
and transfer-
able.

Board of di-
rectors, pres-
ident, &c.

Vacancies.

May make by-
laws.

May open
books.

When election
to be held.

Office, where
kept.
Officers to be
appointed.

No banking
powers.

§ 4. The capital stock of said corporation shall be considered and held as personal estate, and may be transferred upon the books of the corporation as the by-laws thereof may regulate.

§ 5. The affairs of said company shall be managed by three directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board of directors shall consist of Isaac H. Trabue, Henry J. Trabue, and William C. Trabue, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors thus chosen shall continue in office for one year or until their successors are elected. If any of the directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else; they may adopt such by-laws and rules, and the same to alter, amend, or repeal, for the government of the corporation, and management of its affairs and business, as they may deem proper, not inconsistent with the constitution and laws of the State; the said corporation, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated, and give such notice thereof, times, places, &c., as may be deemed proper. Whenever fifty thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year, or until their successors are elected, as provided herein, and may make such calls of payment of stock as they may deem proper, not to exceed twenty per cent. for every thirty days; and in default of payment, the by-laws of said company may authorize a forfeiture of stock. They may keep their office at such place or places as they may deem to the interest of the corporation; they may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as they may fix; and by their by-laws regulate and fix the mode of keeping their records as may be deemed necessary; and may use a common seal, and alter the same at pleasure; may sue and be sued, and maintain any action, whether as plaintiff or defendant, in any of the courts of this Commonwealth.

§ 6. No banking privileges are granted by this act. This act shall take effect from its passage; and the right to alter, amend, or repeal this charter is reserved by the General Assembly.

Approved March 4, 1865.

CHAPTER 1371.

1865.

AN ACT to incorporate the Corwin Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Samuel L. Casey, John W. Finnell, Wm. L. Vance, and their associates, successors, and assigns, be, and they are hereby, created a body-politic and corporate, under the name and style of the "Corwin Petroleum and Mining Company," and as such body corporate shall have power—1. To have succession by its corporate name, and make contracts. 2. To sue and be sued. 3. To use a common seal, and alter the same at pleasure. 4. To hold by purchase or lease, dispose of, and convey real and personal estate, by deed or otherwise, to such amount as its business may require. 5. To appoint such subordinate officers and agents as may be desirable, prescribe their duties, and fix their salaries. 6. To make by-laws not inconsistent with the laws of this State or of the United States, that may be necessary for the transfer of its stock, management of its property, and the regulation of its affairs, and the same, from time to time, to alter, amend, or repeal.

Corporators' names, and corporate powers.

§ 2. That said corporation be, and they are hereby, authorized to dig, bore, or otherwise sink wells for salt, oil, or petroleum, or other mineral substances, on any lands now owned by them, by purchase or lease, and on any lands they may hereafter acquire, by purchase or lease, in any county in this Commonwealth; and to erect and operate fixtures and machinery for reducing the oil to its component elements, such as burning fluid, paraffine, &c.; and to erect and operate furnaces and mills on any lands so owned, or hereafter acquired by them in this Commonwealth, for the manufacture of pig and bar iron and salt; and shall have power to own or lease such warehouses, and at such places as the business of the company may require; and shall create and use such mode of transportation as they may deem proper.

Powers of corporation.

§ 3. That the capital stock in said company shall be one million of dollars, in shares of one hundred dollars each; but may be reduced by a majority of the stockholders; and by a like vote the amount of the separate shares may be reduced.

Capital stock.

§ 4. That the stockholders shall annually elect five directors, who shall manage all the affairs of the corporation, and continue in office for one year, and until their successors are elected and accept their appointment; one of whom shall be selected by the directors as president; and in all elections each share of stock shall entitle the holder

Board of directors, president, &c.

How stock voted.

1865.

to one vote; all vacancies to be filled by the board of directors.

Stock personal
estate.

§ 5. The shares of stock in said company shall be deemed personal estate, and transferable on the book of the company agreeable to the rules prescribed by its by-laws; the stock shall be paid in such installments, and at such times, as the board of directors may require; and for default of payment, the by-laws may authorize a forfeiture of stock.

§ 6. This act shall be in force from its passage; and the right to alter, amend, or repeal this act is reserved to the General Assembly.

Approved March 4, 1865.

CHAPTER 1372.

AN ACT to incorporate the Allen County Petroleum, Oil, Mining, Manufacturing, and Transportation Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That John J. Gatewood, E. M. C. Stevenson, C. R. Slocum, and F. Gatewood, and those that they may associate with them, are hereby incorporated and created a body-politic, able by their common consent to receive and grant in law anything within the compass of their chart'ed privileges and franchises, and to be denominated the "Allen County Petroleum, Oil, Mining, Manufacturing, and Transportation Company," with the privilege and purpose of boring, mining, excavating, and experimenting for petroleum, salt, mineral, or other valuable substances, and any lands which they have or may acquire in the counties of Allen, Monroe, Barren, Metcalfe, Cumberland, or any other county in this State, either in fee simple or for a term of years, and to manufacture and refine the same, and to transport and sell the same in any market, either in this State or the United States. They, and their associates and successors, shall continue in perpetual succession, and by that name and style shall be capable as an individual of suing and being sued, pleading and being impleaded; and to have and use a common seal, and to change it at pleasure; to contract and be contracted with; to lease, hold, and acquire real estate, and to convey the same, or any part thereof; to lend money for the benefit of said company, not exceeding one fourth of the value of the real property proposed to be hypothecated, at a rate of interest not exceeding six per cent.; but not to issue or loan money upon banking privileges. The corporators, or a majority of them, shall hold a meeting, which shall be made known to all of said corporators as soon as convenient after the passage of this charter; and shall annually elect a president, secretary, and treasurer; and said corporation shall have

Organization
of corporation.

power to make a constitution and by-laws, for the rule and government of the business of said company, not inconsistent with the constitution and laws of the State of Kentucky or the United States.

1865.

§ 2. That the capital stock of said company shall not exceed five hundred thousand dollars, divided into shares of not more than one hundred, and not less than five dollars each.

Capital stock.

§ 3. The president, secretary, and treasurer shall constitute a board of directors, who shall regulate the proportion of stock which may be issued to each member on application.

Board of directors.

§ 4. They shall hold or have their office in this State, and shall annually elect their board of directors, as aforesaid, after having given one month's previous notice; and each stockholder shall have one vote for each share of stock he may have, and those not present shall have the right to vote by written proxy, such proxy being a stockholder.

Office, where kept.

§ 5. The secretary shall, at each annual meeting of the stockholders, report in writing the financial condition of the company, its acting and doings, and shall at all times keep the books of the company open for inspection; and shall, at such meetings, declare dividends, directing the treasurer to settle the same according to the report; and the dividends may be declared annually, semi-annually, or quarterly, as the directors shall order; the president shall at all times be allowed to make deposits of any money belonging to said corporation in any solvent bank in the State, at the risk of the company.

Secretary to make report of financial condition.

§ 6. Nothing in this act shall be so construed as to confer banking privileges upon said corporation.

No banking powers.

§ 7. The stockholders of the company shall be individually liable for all the debts of said company, and may be sued in any county where any stockholder resides.

Liability of stockholders.

§ 8. This act shall take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1373.

AN ACT to incorporate the Falls City Rock Oil, Mining, and Mineral Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Archibald J. Alexander, John Curd, and W. C. Culbertson, and their successors, shall be, and they are hereby, made a body corporate, under the name of the "Falls City Rock Oil, Mining, and Mineral Company," and by that name shall be capable of contracting and being

Corporators' names, and corporate powers.

1865.

contracted with, suing and being sued, pleading and being impleaded, in all courts whatsoever, for the purpose of transacting all business connected with mining for salt, oil, or any other minerals whatsoever, and may do anything necessary or advantageous connected with the said business; may erect all buildings and machinery necessary in conducting the said business, or useful in refining oil, or converting any other minerals into the best form for market; may manufacture any barrels, vats, or vessels of any kind necessary or useful in preserving any minerals or oil; they may handle or manufacture, may buy, sell, or transport any minerals, including salt, oil, and coal; may, in the corporate capacity and name, make to any person or persons, or body-politic or corporate, any and all writings, notes, bonds, or mortgages, on real and personal property belonging to said corporation, in the due prosecution of their business, or as the security for the loan of money borrowed from said company to any person or persons or body-politic or corporate; and may have and use a common seal, change, alter, or renew the same at pleasure.

May hold real estate.

§ 2. The said corporation hereby created may be capable to acquire, purchase, receive, lease, have, hold, and enjoy, and again to sell or otherwise dispose of, such personal and real estate as may be necessary and useful for said corporation to carry on their manufacturing and other operations before mentioned, and such other real estate as shall have been bona fide mortgaged or pledged to them by way of security, or conveyed to them by way of satisfaction for debts or liabilities previously contracted in their business, or purchased at sale upon judgments which shall have been obtained for such debts or liabilities.

Board of directors, president, &c.

§ 3. The stock, property, and concerns of said corporation shall be managed and controlled by a board of not less than three directors, being stockholders, one of whom shall be president, and hold his office for one year; and the said directors shall be chosen on the first Monday in January in each and every year, at such time and place as shall be directed by the by-laws of said corporation, and public notice thereof shall be given in one or more newspapers published in Covington or Louisville, not less than ten days previous to the election; and such stockholders shall be at such election entitled to vote in person or by proxy, as he or she shall hold shares of the capital stock of said corporation. And the persons having or receiving in such election the greatest number of votes, and being stockholders, shall be directors; and the directors chosen at one election shall be capable of serving by virtue thereof until another election shall have been held. The directors so chosen may appoint such officers and superintendents, and assign such compensation as they shall think fit, not

1865.

less than a majority of the whole number of directors being present when the same shall be done. And all vacancies occurring by death, resignation, or otherwise, among the directors named in this act, or those hereafter to be chosen, shall be filled by such person or persons as the remainder of the directors for the time being, or a majority of them, shall appoint for that purpose. Archibald J. Alexander, Wm. C. Culbertson, and John Card shall be the first directors for said corporation, and shall hold their offices until the first Monday of January next, and until others are legally chosen.

§ 4. The capital stock of said corporation shall not exceed the sum of five hundred thousand dollars, which shall be divided into such shares and transferable in such a manner as the by-laws of said corporation may prescribe; but so soon as twenty-five thousand dollars of said capital stock shall have been subscribed it shall be lawful for said corporation to commence their said business or any part of it, and with that capital to conduct and carry it on until they shall deem it expedient to extend the same. It shall be lawful for the directors of said corporation, or a majority of them, to call for and demand from the stockholders respectively all such sums of money by them subscribed, at such times and in such proportions as they shall deem proper, under pain of forfeiting the shares of such stockholders, and all previous payments thereon, if such payments shall not be made within thirty days after the time fixed for that purpose, by public notice previously published for the space of thirty days in one or more newspapers, designating the proportion of such payment for shares of stock, and the time and place when and the officer to whom the same shall be required to be paid.

Capital stock.

§ 5. The books for subscription to said stock shall be opened in the city of Louisville, and at such other places as the directors may deem proper, and remain open until the sum required shall be subscribed, or for any number of days not exceeding thirty, under the direction of the board of directors, or such of them as shall be designated for that purpose by the board.

Books may be opened.

§ 6. The stock and property of said corporation, of whatever name or kind, shall be deemed personal estate; and that no dividend shall be made to and among the stockholders except from and out of the actual net profits of the said corporation

Stock personal estate.

§ 7. In case it shall at any time happen that an election shall not be made upon the day designated by this act for that purpose, the said corporation shall not for that cause be deemed to be dissolved, but it shall be lawful to hold such election on such other days as shall be prescribed by the laws of the said corporation.

1865.

Quorum.

§ 8. A majority of the directors for the time being shall form a board for the transaction of the business of the said corporation, and shall have power to make and enforce such by-laws and regulations as they shall deem expedient for the government, management, and disposition of the stock, effects, profits, and concerns of said corporation: *Provided*, that the same are not contrary to the constitution or laws of the United States or of this State.

§ 9. The directors shall at all times keep or cause to be kept proper books, in which shall be regularly entered all transactions and business of the said corporation.

Corporation
may be dissolv-
ed.

§ 10. The said corporation may be dissolved at and by a general meeting of the stockholders especially summoned for the purpose: *Provided*, That at least three fourths in value of the stockholders shall be present or represented therein; and upon such dissolution, the directors for the time being, and the survivors of them, shall be trustees for settling the affairs of the said corporation, disposing of its effects, recovering the claims, and paying its debts, and dividing the surplus among its stockholders in proportion to their respective interests in the stock, unless the stockholders, at such general meeting, shall appoint other persons, not less than three or more than five in number, for such purpose; in which case the persons so appointed, and the survivors of them, shall be trustees for the purpose aforesaid.

§ 11. This act shall, unless the corporation be dissolved as above provided for, take effect from its passage.

Approved March 4, 1865.

CHAPTER 1374.

AN ACT to incorporate the Kentucky Petroleum and Mining Association.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That A. G. Gower, John G. Eve, W. H. Clements, A. H. Lewis, M. D. Randen, and J. Hammar, and their associates and successors, be, and they are hereby, created a body-corporate and politic, by the name and style of the "Kentucky Petroleum and Mining Association," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company, not inconsistent with the constitution and laws of this State or of the United States.

Capital stock.

§ 2. The capital stock of said company shall not exceed three millions of dollars, which may be divided into

shares, subscribed and paid for in such manner as said company may by its by-laws prescribe.

1865.

§ 3. That said company shall have power to appoint any one or more of its members, or other persons, to manage, control, and direct the business of said company according to the by-laws, rules, and regulations which said company may adopt.

Who to manage affairs of corporation.

§ 4. That said company may acquire and hold such real and personal estate, by contract, as they may deem necessary or proper for the carrying on the mining of coal, or other minerals or metals; the procuring and manufacture of salt, oil, and lumber, and the transportation thereof to market; together with such quantities of land as may be necessary for the establishment of mills, depots, machinery, and landings for the same; and if such land cannot be procured said company may have the same condemned by filing its petition for that purpose with the clerk of the county court of the county in which it is situated, and obtaining thereon the necessary writs of *ad quod damnum*, and proceeding in the regular condemnation thereof, as required by law in the condemnation of lands for the use of turnpike roads: *Provided, however*, That no property shall be so taken without the value thereof having been first paid.

May hold real estate, & business of corporation.

§ 5. The said company, when fully organized, shall cause a book to be opened, and kept subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares or amount of stock owned by each; and the said shares may be transferred on said books in the manner to be prescribed by the by-laws of said company.

Record of stockholders & stock to be kept.]

§ 6. Nothing in this charter shall be construed into conferring banking powers on said company:

No banking privileges.

§ 7. This act to take effect from its passage, and remain in force twenty years, unless sooner repealed by the General Assembly; and the right to alter, amend, or repeal this charter is reserved to the General Assembly.

Approved March 4, 1865.

CHAPTER 1375.

AN ACT to incorporate the Hazel Dell Church, in Pulaski county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. M. Smyth, A. H. Isaacs, and Silas Price, their associates and successors, are created a body-politic and corporate, with perpetual succession, by the name of the "Hazel Dell Church, of Pulaski county," and by that name may purchase, hold, and erect a church house, or re-

1865.

ceive one already erected, and may have conveyed to them three acres of ground, upon which said church stands, or may be erected, and shall hold the same for the purpose of religious worship; may make all proper rules and regulations for the preservation of said church and its grounds; may receive donations for completing the building and paying all necessary sums expended in preparing said church and grounds, for the purpose aforesaid; may fill vacancies from time to time as they occur, a majority of whom shall constitute a board for said corporation.

§ 2. This act to take effect from its passage.

Approved March 4, 1865.

CHAPTER 1376.

AN ACT to incorporate the Crab Orchard, Lincoln County, Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That W. G. Collins, G. W. Evans, H. P. Middleton, Henry E. Miller, Mat. Martin, and John B. Owsley, their associates, successors, and assigns, be, and they are hereby, created a body-politic and corporate, under the name and style of the "Crab Orchard, Lincoln County, Petroleum Company," and as such body-corporate shall have power—
1. To have succession by its corporate name, and make contracts. 2. To sue and be sued. 3. To use a common seal, and alter the same at pleasure. 4. To hold by purchase or lease, dispose of, and convey real and personal estate, by deed or otherwise, to such amount as its business may require. 5. To appoint such subordinate officers and agents as may be desirable, prescribe their duties, and fix their salaries. 6. To make by-laws, not inconsistent with the laws of this State or of the United States, that may be necessary for the transfer of its stock, management of its property, and the regulation of its affairs; and the same from time to time to alter, amend, or repeal.

Business of
corporation.

§ 2. That said corporation be, and they are hereby, authorized to dig, bore, or otherwise sink wells for salt, oil, or petroleum, or other mineral substances, on any lands now owned by them, by purchase or lease, and on any lands they may hereafter acquire by purchase or lease, in any county in this Commonwealth; and to erect and operate fixtures and machinery for producing the oil to its component elements, such as burning fluid, paraffine, and to erect and operate furnaces and mills on any lands so owned, or hereafter acquired by them in this Commonwealth, for the manufacture of pig and bar iron, and salt; and shall have power to own or lease such warehouses, and at

such places, as the business of the company may require; and shall create and use such mode of transportation as they may deem proper.

1865.

§ 3. That the capital stock in said company shall be five hundred thousand dollars, divided into shares of not less than five nor more than one hundred dollars each.

Capital stock.

§ 4. That the stockholders shall annually elect five directors, who shall manage all the affairs of the corporation, and continue in office for one year, and until their successors are elected and accept their appointment, one of whom shall be selected by the directors as president; and in all elections each share of stock shall entitle the holder to one vote; all vacancies to be filled by the board of directors.

Board of directors, president, &c.

How stock voted.

§ 5. The shares of stock in said company shall be deemed personal estate, and transferable on the book of the company, approvable to the rules prescribed by its by-laws; the stock shall be paid in such installments, and at such times, as the board of directors may require; and for default of payment, the by-laws may authorize a forfeiture of stock.

Stock personal estate.

§ 6. This act shall be in force from its passage; and the right to alter, amend, or repeal this act is reserved to the General Assembly.

Approved March 4, 1865.

CHAPTER 1377.

AN ACT to incorporate the Otter Creek Manufacturing, Mining, and Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. George Anderson, P. Z. Aylsworth, W. H. Fairleigh, T. J. Grotjar, H. C. Stucky, Jno. C. Bonnycastle, R. C. Hewett, and E. Barbaroux, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the style and title of the "Otter Creek Manufacturing, Mining, and Oil Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said company, not contrary to law.

Corporators' names, and corporate powers.

§ 2. The capital stock of said company shall be five hundred thousand dollars (\$500,000), and may be increased or diminished fifty per cent. by a vote of a majority of the

Capital stock.

1865.

stockholders at any time upon a notice of thirty days, to be divided into shares of one hundred (\$100) dollars each; said company may, however, commence operations as soon as twenty thousand dollars (\$20,000) of said capital stock shall be subscribed and paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors of said company at such times as may seem to them best.

May hold real
estate.

Business of
corporation.

§ 3. The said company shall have the power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: the manufacturing of cotton and woolen goods, flour, lumber, and any other articles or commodities whatever; to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same; and other products of the land now owned or leased by them, or which may be hereafter owned or leased by them; to purchase, build, and own boats, and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such manufacturing and mining rights, and rights of way and real estate, as they may deem necessary for the successful prosecution of their business, and the same, or any part thereof, to sell or otherwise dispose of, as the interest of said company may require.

Board of di-
rectors, pres-
ident, &c.

Officers to be
appointed.

How stock
voted.

§ 4. For conducting the affairs of said company a board of five directors shall be chosen; said board shall choose one of its number, who shall be the president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The president and directors shall have power to appoint all officers, agents, and servants under them, and to remove them at pleasure. In all elections each stockholder shall be entitled to one vote for every share of stock owned by him or her: *Provided, however,* Stockholders owning more than twenty shares shall be entitled only to one additional vote for every ten shares held in excess of twenty shares; and stockholders may vote by proxy.

Stock personal
estate.

§ 5. The stock of said company shall be deemed personal estate.

May open
books.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the stock shall at no time exceed the maximum amount herein mentioned.

May borrow
money.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow or obtain on loans such sums of money, and on such terms, as they may deem expedient for the use of said company; and to pledge or mortgage all or any part of the

estates, improvements, privileges, effects, and assets of said company for the repayment of said sums of money so borrowed, at such times as may be agreed upon.

1865.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

Stock may be forfeited.

§ 9. No banking powers are allowed to this corporation; and the right to alter, amend, or repeal this charter is reserved to the General Assembly.

No banking powers.

§ 10. This act to take effect from its passage.

Approved March 4, 1865.

CHAPTER 1378.

AN ACT to incorporate the Cypress Oil, Mining, Manufacturing, and Shipping Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That George Washington Anderson, John Foster Anderson, their associates, successors, and assigns, be, and are hereby, constituted a body-corporate and politic, by the title of the "Cypress Oil, Mining, Manufacturing, and Shipping Company," with perpetual succession, and with power to contract and be contracted with, to sue and be sued in that name, in all courts and places; to have a common seal; to engage in the mining of rock or petroleum oil, salt water, or other minerals, on lands leased by them, or which may be hereafter leased or purchased by them, on the waters of Trade-water river, or on either of its affluents, in the counties of Union, Hopkins, and Crittenden, with the right of transportation of all such mineral products; with the right to hold meetings in the State, and to exercise all authority, and to have all powers which may be needful for the successful prosecution of their business, not inconsistent with State or United States laws, and for the execution of powers herein granted.

Corporators' names, and corporate powers.

§ 2. That said corporators may organize said company by the appointment of a president and five directors, and such other officers as they may think proper, at such time and place as they may designate, by notice previously given; and, when organized, said company shall have power to make such by-laws, rules, and regulations as they may deem necessary, from time to time, for the government, management, and prosecution of the business of said company, and to enforce the same; they must, however, not conflict with the laws of this State or the United States.

Board of directors, president, &c.

May make by-laws.

§ 3. The capital stock of said company shall be five hundred thousand dollars, and may be increased by the com-

Capital stock.

1865. pany to one million of dollars, and shall be divided into shares of twenty dollars each.

How stock
voted.

4. That each stockholder shall be entitled to as many votes as he owns shares in said company, which shall be given *viva voce* or by proxy.

May build
boats.

May hold real
estate.

§ 5. Said company may build, buy, and own boats for the purpose of carrying on their business, and may dispose of their property, or any portion of it, by sale or otherwise; they may receive real estate or mining privileges in payment of such part of their stock as they may deem advisable; and shall have the power to hold, either by purchase or otherwise, such real estate, mining rights, of way, or other property, as may be thought expedient by them for the successful prosecution of their business; and to dispose of the same, or any part thereof, as the interest of the company may require.

May borrow
money.

§ 6. That it shall be lawful for the president and directors of said company, from time to time, to borrow, or obtain on loans, such sums of money, and on such terms, as they deem expedient for the prosecution of the business of said company: *Provided*, The president and directors shall never permit the liabilities of said corporation to exceed the one half of its capital stock; and to pledge or mortgage any part of the real estate, improvements, privileges, effects, or assets whatever of said company, for the repayment of said sums of money so borrowed, on such terms as may be agreed upon.

May build
railroads.

§ 7. Said company shall have power to build railroads, and such other passways, through their lands, as they may deem necessary; and through the lands of others, if the consent of the owners can be obtained.

To keep record
of proceedings.

§ 8. Said company shall keep a record of all their business transactions, which shall be subject to the examination of any stockholder or creditor, and allow extracts of the same to be taken by those interested in the same.

§ 9. That said company shall possess and enjoy all powers, rights, and privileges which are right, necessary, and proper to carry out the objects of this association.

§ 10. That this act shall take effect from and after its passage; and the right to alter, amend, or repeal this act, is reserved to the General Assembly.

Approved March 4, 1865.

CHAPTER 1379.

1865.

AN ACT incorporating the Nassau Oil, Coal, Iron, Lead, Salt, Mineral, Lumber, Barrel Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That D. R. Haggard, J. T. Clark, and R. H. Hanson, and their successors, are hereby created a body-politic and corporate, under the name and style of the "Nassau Oil, Coal, Iron, Lead, Salt, Mineral, Lumber, Barrel Manufacturing Company," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, in any court and place; have a common seal, alter the same at pleasure; may make all necessary by-laws and regulations for the government of said company, not inconsistent with the constitution and laws of the State and constitution of the United States.

Corporators' names, and corporate powers.

§ 2. That said company shall have power to appoint an agent or agents, belonging to the company or not, as they may choose, to manage, control, and direct the business of said company according to the by-laws, rules, and regulations which may, from time to time, be adopted by said company for its government and the transaction of its business; and shall have all the rights and privileges conferred that are not inconsistent with the provisions of this charter.

Who to manage affairs of corporation.

§ 3. The capital stock of said company shall be two hundred and fifty thousand dollars, with the privilege of increasing or diminishing the same at pleasure, a majority of the stockholders concurring, to be divided into shares of fifty dollars each; which may be subscribed and paid for in such manner as shall be prescribed by said company in their by-laws; and said shares may be transferred in such manner as the said company by its by-laws may direct; said company shall have power to purchase, lease, sell, and dispose of real estate at pleasure at any place in this State, not at any one time holding exceeding fifty thousand acres in quantity; and such personal estate as they may deem necessary and proper for carrying on the legitimate business of the company in the manufactory or preparation and transportation of any of the products of such real estate purchased or leased by said company.

Capital stock.

May hold real estate.

§ 4. The said company may at any time build railroads, bridges, turn-outs, dig canals, build highways, either gravel or stone, from such real estate to any other railroad, canal, or navigable stream, provided the stockholders shall consent; otherwise, said company shall be responsible for damages, to be assessed by a jury and paid for by said company, taking into consideration the advantages said road will be to the company owning said railroad, canal, or navigation.

May build railroads.

1865.

Right of way.

§ 5. The company shall have the right to build said railroad, canal, or other road, over any real estate owned by other persons, provided the right of way shall be agreed to by said owner; otherwise, said company shall proceed as directed by the Revised Statutes in such cases made and provided.

Officers to be elected.

§ 6. The company shall organize by the election of a president, vice president, secretary, and treasurer; and shall hold their office for twelve months, unless otherwise directed by the by-laws; and the by-laws shall regulate the organization of said company after the first organization, fix their salaries, and prescribe their duties.

May buy and sell lands.

§ 7. Said company shall have the right to lease land for the purposes indicated in the title of this charter, and sell the same; and also be allowed to purchase leases for any of the purposes indicated by this charter, and sell the same at pleasure, a majority of the stockholders consenting thereto.

§ 8. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1380.

AN ACT to incorporate the Lesquereux Mining and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That John T. Lewis, Chas. G. Wallace, Wm. W. Henderson, Wm. F. Simrall, and James O'Hara, jr., be, and are hereby, created a body-politic and corporate, under the name and style of the "Lesquereux Mining and Manufacturing Company," for the purpose of engaging in mining coal, iron, lead, copper, and other minerals, and boring for salt water, coal, oil, and petroleum, and in quarrying and raising marble, sandstone, limestone, and other stones for building and sculpturing purposes; and for manufacturing any and all of said mineral substances, water, oil, petroleum, and stones into articles of ornament, utility, and commerce; and for selling and disposing of the same in the crude state; and for transporting the same in the crude or manufacturing state to market; and for building and constructing all such canals, railroads, causeways, viaducts, aqueducts, boats, vessels, carriages, engines, locomotives, and cars, as may be useful in the successful prosecution of any or all of said business.

Principal office.

No banking powers.

May borrow money.

§ 2. Said company may hold its main office within or out of this State, as the board of directors may decide is best for the interests of the company. Said company shall not have nor exercise any banking powers, but it may borrow money upon such bonds, or other evidences of debt,

1865.

as the board of directors may direct, to be executed in such sums, and at such time, and in such places, and at such rate of interest, not exceeding ten per cent. per annum, as the board of directors may deem advisable; and they may execute mortgages upon any or all the property of the company, to secure the payment of such debts, from time to time, as may be created.

§ 3. The capital stock of said company shall not exceed four millions of dollars, to be divided into shares of ten dollars each, which shares shall be personal property, and shall be evidenced and transferred as prescribed by the by-laws of the company; the board of directors may fix the capital stock, at first, at a less sum than four millions of dollars, and increase the same, from time to time, as they may deem expedient, but not above said sum. The said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe, in the terms of subscription, the manner of payment, and the time, manner, and grounds of forfeiture of stock subscribed for and not paid, as required by call; and when not less than ten thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business, and the board, or a majority thereof, shall organize by electing one of their number to be president of the company; the president and directors shall have power to appoint a secretary, treasurer, and such other inferior officers as the company, from time to time, may require; fix their salaries and prescribe their duties, as well as those of the president, and the time such inferior officers shall hold their respective positions; and may require and take from all officers such bonds as may be necessary to secure a faithful discharge of their duties; and may remove such inferior officers at pleasure.

§ 4. The president and directors shall provide, by the by-laws, for the annual election by the stockholders of a board of directors of not less than five, nor more than nine, who, when elected in each year, shall choose one of their number as president as aforesaid, and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board, occurring between annual elections, as shall be provided in their by-laws.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors, or in stockholders'

Capital stock.

First board of directors.

May open books.

When may proceed to business, organization, &c.

Officers to be appointed.

Annual elections.

President.

Quorum.

How stock voted.

1865.

meetings, for any purpose, and must be voted by the holder in person, or by virtue of a written proxy signed by the holder; and no person shall be voted for, or hold the office of director, who does not, at the time, in good faith, own in his own exclusive right at least five shares of the capital stock of said company, paid up in full.

May appoint
agents.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary agents, employes, and operatives for said company.

May declare
dividends.

§ 7. The said company may, from time to time, as it may deem proper, make, declare, and pay dividends or profits, and distribute its net receipts and proceeds of sales among the stockholders *pro rata*, according to the amount of stock held by each.

§ 8. This act shall be in force from and after its passage.

Approved March 4, 1865.

CHAPTER 1381.

AN ACT to incorporate the Pond River Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That Edward Rumsey, Jonathan Short, and E. Rumsey Wing, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, under the name and style of the "Pond River Oil and Mining Company," and by that name and title may contract and be contracted with, plead and be impleaded, sue and be sued, in as full and perfect a manner as a natural person, in all courts of law and equity, in this Commonwealth and elsewhere; may have a common seal; and ordain and establish all such by-laws and regulations as may by them be deemed necessary for the government of said company, not being contrary to law.

May hold real
estate, &c.
Business of
corporation.

§ 2. Said company shall have the right to hold as much real estate as may be necessary to carry on their business, to-wit: to explore, bore, mine, and dig for petroleum, salt water, coal, iron, and other minerals; and the manufacture of the same upon the lands now owned or leased by them, or which may hereafter be acquired by them; they shall have the right to possess all mining rights, and rights of way, all machinery and implements, all necessary buildings and boats requisite for the successful prosecution of their said business, and in the transportation of their said products to market, and in the manufacture of the same; and may dispose of said mining rights, buildings, machinery, and implements, or any part thereof, as to them may seem best.

§ 3. The capital stock of said company shall be one million of dollars, to be divided into such shares as may hereafter be determined upon by the board of directors of said company; but said company may commence operations as soon as twenty-five thousand dollars are subscribed and ten thousand dollars thereof be paid in; the remaining portion of said capital stock may be issued and sold by the board of directors at such time as may seem to them best.

1865.
Capital stock.

§ 4. Books for the subscription of said stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the capital stock shall at no time exceed the maximum amount herein provided for.

May open books.

§ 5. For the government of said company, at the first meeting of the stockholders, there shall be chosen a board of five directors, who shall select one of their number to be the president of said company. Said board shall remain in office for one year or until their successors are elected and qualified. In all elections each share shall entitle its holder to one vote; and stockholders may vote by proxy.

Board of directors, president, &c.

§ 6. The stock of said company shall be deemed personal estate.

Stock personal estate.

§ 7. In the event of a failure on the part of any stockholder to pay up his subscribed stock, the same may be declared forfeited by the board of directors, or they may, if they so elect, sue for and recover the same.

Stock may be forfeited.

§ 8. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1382.

AN ACT to incorporate the Owensboro Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Joseph Veech, John G. Barret, James A. Dean, and E. Rumsey Wing, their associates and successors, be, and are hereby, constituted a body-corporate and politic, under the name and style of the "Owensboro Oil and Mining Company," and by that name and style may contract and be contracted with, plead and be impleaded, sue and be sued, in as full and perfect a manner as a natural person, in all the courts of law and equity in this Commonwealth and elsewhere; may have a common seal, and ordain and establish all such by-laws and regulations as may by them be deemed necessary for the government of said company, not being contrary to law.

Corporators' names, and corporate powers.

1865.

May hold real
estate.
Business of
corporation.

§ 2. Said company shall have the right to hold as much real estate as may be necessary to carry on their business, to-wit: to explore, bore, mine, and dig for petroleum, salt water, coal, iron, and other minerals, and the manufacture of the same upon the lands now owned or leased by them, or which may be hereafter acquired by them; they shall have the right to possess all mining rights and rights of way, all machinery and implements, all necessary buildings and boats requisite for the successful prosecution of their said business, and in the transportation of their said products to market, and in the manufacture of the same; and may dispose of said mining rights, buildings, boats, implements, and machinery, or any part thereof, as may seem best.

Capital stock.

§ 3. The capital stock of said company shall be one million of dollars, to be divided into such shares as may hereafter be determined upon by the board of directors of said company; but said company may commence operations as soon as twenty-five thousand dollars are subscribed, and ten thousand dollars thereof be paid in; the remaining portion of said capital stock may be issued and sold by the board of directors, at such time as may seem best to them.

May open
books.

§ 4. Books for the subscription of said stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the capital stock shall at no time exceed the maximum amount herein provided for.

Board of di-
rectors, pres-
ident, &c.

§ 5. For the government of said company, at the first meeting of the stockholders, there shall be chosen a board of five directors, who shall select one of their number to be the president of said company; said board shall remain in office for one year, or until their successors are elected and qualified; in all elections each share shall entitle its holder to one vote, and stockholders may vote by proxy.

Stock personal
estate.

§ 6. The stock of said company shall be deemed personal estate.

Stock may be
forfeited.

§ 7. In the event of a failure on the part of any stockholder to pay up his subscribed stock, the same may be declared forfeited by the board of directors, or they may, if they so elect, sue for and recover the same.

§ 8. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1383.

1865.

AN ACT incorporating the Tammany Hall Oil, Coal, Mineral, Salt, Copper, Lead, Lumber, and Cask Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That D. R. Haggard, David H. Johnson, Hiram Hagan, John McMillon, John Black, be, and their successors are hereby, created a body-politic and corporate, under the name and style of the "Tammany Hall Oil, Coal, Mineral, Salt, Copper, Lead, Lumber, Cask Manufacturing Company," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts of proper jurisdiction anywhere; have a common seal, may change the same at pleasure; make all necessary by-laws and regulations for the government of said company, not inconsistent with the constitution and laws of the State and constitution of the United States.

Corporators' names, and corporate powers.

§ 2. That said company shall have power and authority to appoint one or more of its members, or other person or persons, to manage, control, and direct the business of the company according to the by-laws, rules, and regulations which may, from time to time, be adopted by said company for its government and the transaction of its business; and shall have all the rights and privileges conferred, and be subject to all the restrictions, rules, and regulations of the by-laws.

Who to manage affairs of corporation.

§ 3. The capital stock of said company shall be five hundred thousand dollars, with power to increase the stock at pleasure; which stock shall be divided into shares of fifty dollars each, unless otherwise directed by the company; which shall be subscribed and paid for in such manner as may be prescribed by said company in their by-laws; and said shares may be transferred in such manner as the said company by its by-laws may direct.

Capital stock.

§ 4. Said company shall have power to purchase and hold such real estate in this State as may suit the company, and may dispose of the same at the pleasure of the company, not exceeding ten thousand acres, and such personal property as they may deem necessary and proper for carrying on the mining and manufacturing purposes indicated in the title of this charter.

May hold real estate.

§ 5. Said company are hereby authorized to construct one or more railroads, not exceeding thirty miles in length each, from any point on their lands to any other railroad or navigable stream or canal, and pass over the lands of other persons, provided they shall obtain the consent of the owners by agreement; otherwise, said company shall proceed to condemn the same as now prescribed by the Revised Statutes.

May build railroads.

1865.

Officers, term
office, &c.

Elections.

May obtain &
sell lease.

§ 6. Said company shall fix a place for their organization, and shall elect a president, vice president, treasurer, secretary, who shall hold their office for one year, or until their successors shall be duly elected and qualified. Said board shall direct where each successive election shall be holden; and shall make all the rules and regulations pertaining thereto, as well as when dividends shall be declared.

§ 7. Said board shall have the right to sell, as well as the right to obtain leases upon real estate, according to such terms as may be prescribed in the by-laws, provided a majority of the stock shall be represented in the meeting that may make, alter, or change the by-laws on this particular subject, and in all things necessary to enable the company to develop the resources of the country that they may choose: *Provided*, That it is not inconsistent with the provisions of this charter.

§ 8. This act shall take effect from its passage; no banking privileges is granted in this act.

Approved March 4, 1865.

CHAPTER 1384.

AN ACT to incorporate the Crystal Mining and Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That E. L. Chandler and Robert A. Bradshaw, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Crystal Mining and Oil Company," and by that name shall have perpetual succession, for the purpose of boring for oil, manufacturing and refining the same, mining coal, manufacturing iron and lumber upon the lands of said company situated in the counties of Carter and Greenup, or in any other counties in the State of Kentucky, or which they may hereafter acquire, with all the rights, powers, duties, and privileges contained in the act of this General Assembly, entitled "An act to incorporate the Cloverport Oil and Coal Company," approved December 29th, 1861, which act, so far as the same may be applicable, is hereby adopted and made a part of this act.

§ 2. The capital stock of said company shall be three hundred thousand dollars, with the power of increasing the same, from time to time, as said company may deem requisite, in the management and prosecution of their business, to any amount not exceeding one million of dollars; said stock to be divided into such shares as the said company may prescribe.

§ 3. This act to take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1385.

1865.

AN ACT to incorporate the Lebanon Petroleum, Oil, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That James M. Fidler, John R. Thomas, J. C. Maxwell, D. S. Maxwell, F. B. Merrimee, Joseph Odell, Edward Garland, Dr. Thos. W. Owings, P. H. Cochran, John Q. Musson, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name of the "Lebanon Petroleum, Oil, and Mining Company," and by that name shall have perpetual succession, for the purpose of boring for oil, manufacturing and refining the same, mining coal, manufacturing iron and lumber upon the lands of said company, situated in the counties of Marion, Nelson, and Pulaski, in the State of Kentucky, or which they may hereafter acquire; and with all the rights, powers, duties, and privileges contained in the act of this General Assembly, entitled "An act to incorporate the Cloverport Oil and Coal Company," approved December 29th, 1861; which act, so far as the same may be applicable, is hereby adopted and made a part of this act.

§ 2. The capital stock of said company shall be five hundred thousand dollars, with the power of increasing the same, from time to time, as said company may deem requisite, in the management and prosecution of their business, to any sum not exceeding one million five hundred thousand dollars; said stock to be divided into such shares as the said company may prescribe.

§ 3. This act shall take effect from and after its passage.

§ 4. No banking privileges are granted by this act.

Approved March 4, 1865.

CHAPTER 1386.

AN ACT to incorporate the Oakwood Mining and Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Charles G. Perkins, John Rudy, and C. E. Terry, their associates and successors, be, and are hereby, constituted a body-corporate and politic, under the name and style of the "Oakwood Petroleum and Mining Company," and by that name and style may contract and be contracted with, plead and be impleaded, sue and be sued, in as full and perfect a manner as a natural person, in all courts of law and equity, in this Commonwealth and elsewhere; may have a common seal; and ordain and establish all such by-laws and regulations as may by them be

Corporators' names, and corporate powers.

1865.

deemed requisite for the government of said company, not being contrary to law.

May hold real
estate.
Business of
corporation.

§ 2. Said company shall have the right to hold as much real estate as may be necessary to carry on their business, to-wit: to explore, bore, mine, and dig for petroleum, salt water, coal, iron, and other minerals, and the manufacture of the same upon the lands now owned or leased by them, or which may be hereafter acquired by them; they shall have the right to possess all mining rights and rights of way, all machinery and implements, all necessary buildings and boats requisite for the successful prosecution of their said business, and in the transportation of their said products to market, and in the manufacture of the same; and may dispose of said mining rights, buildings, boats, implements, and machinery, or any part thereof, as may seem best.

Capital stock.

§ 3. The capital stock of said company shall be one million of dollars, to be divided into such shares as may hereafter be determined upon by the board of directors of said company; but said company may commence operations as soon as twenty-five thousand dollars are subscribed, and ten thousand dollars thereof be paid in; the remaining portion of said capital stock may be issued and sold by the board of directors at such time as may seem best to them.

May open
books.

§ 4. Books for the subscription of said stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the capital stock shall at no time exceed the maximum amount herein provided for.

Board of di-
rectors, pres-
ident, &c.

§ 5. For the government of said company, at the first meeting of the stockholders, there shall be chosen a board of five directors, who shall select one of their number as president of said company; said board shall remain in office for one year, or until their successors are elected and qualified; in all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy.

Stock personal
estate.

§ 6. The stock of said company shall be deemed personal property.

Stock may be
forfeited.

§ 7. In the event of a failure on the part of any stockholder to pay up his subscription stock, the same may be declared forfeited by the board of directors, or they may, if they so elect, sue for and recover the same.

§ 8. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1387.

1865.

AN ACT incorporating the Smith Grove Oil, Mineral, Salt, Silver, Lumber, and Cask Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That George Wright, D. R. Haggard, O. P. Johnson, and their successors, are hereby created a body-politic and corporate, under the name and style of the "Smith Grove Oil, Coal, Mineral, Salt, Silver, Lumber, and Cask Manufacturing Company," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in any court of proper jurisdiction anywhere; have a common seal, may alter the same at pleasure; may make all necessary by-laws and regulations for the management and government of the company, not inconsistent with the constitution of the State and United States, and the laws of each.

Corporate names, and corporate powers.

§ 2. That said company shall have power to appoint one or more individuals to manage, control, and direct the business of said company, according to the by-laws, rules, and regulations which may be, from time to time, adopted by said company for its government and the transaction of its business; and shall have all the rights and privileges conferred, and be subject to the regulations of the company, as expressed in the by-laws and this charter.

Who to manage affairs of corporation.

§ 3. The capital stock of said company shall be two hundred thousand dollars, with power to increase the same at pleasure, a majority of the stockholders agreeing thereto; and may decrease the same not less than one hundred thousand dollars, upon the same conditions; the stock shall be divided into shares of one hundred dollars each, which may be subscribed and paid for in such manner as may be prescribed in the by-laws; and said shares may be transferred in such manner as the company by its by-laws may direct.

Capital stock.

§ 4. Said company shall have power to lease, and purchase leases obtained by others, upon real estate, for any or all of the purposes indicated in the title of this charter, or any other purpose not inconsistent with the laws of the State and general government, and shall have power to sell the same at the pleasure of the company.

May hold real estate, &c.

§ 5. Said company shall have the power to purchase and sell real estate anywhere in the State, not holding at any one time exceeding one hundred thousand acres in quantity, and such personal property as they may deem necessary and proper for carrying on the business of said company as indicated in the title of this charter, and for transporting the same to market, and obtaining such supplies as they may need.

1865.

May construct
railroads.

§ 6. Said company are hereby authorized to construct one or more railroads, not exceeding sixty miles in length, from any point on their said lands leased or owned; and to enable said company to carry out the objects of said company, they shall be permitted to form any connection, and tap any other road or thoroughfare that they may choose: *Provided*, It shall not injure the parties owning the road with which this company wishes to join, and being responsible for damages, if any shall accrue, to the aforesaid owners of said railroad; they shall be authorized to pass over real estate, if necessary in the construction of their railroad, owned by other persons; the company shall proceed as prescribed in the Revised Statutes, if the parties themselves cannot agree, in obtaining the right of way.

Officers to be
elected.

§ 7. The company shall elect a president, vice president, secretary, and treasurer, and such other officers as they may direct in their by-laws, fix their terms of service and salaries, and where their meetings shall be holden, and ordain and determine all things pertaining to the manner of transacting the business of the company that is not herein expressed, not inconsistent with the before mentioned provisions.

§ 8. This act to take effect from its passage.

§ 9. No banking privileges are granted in this act.

Approved March 4, 1865.

CHAPTER 1391.

AN ACT to incorporate the Argilite Mining and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That Lewis D. Ross, William H. Lampton, W. C. Ireland, Ed. F. Dulin, their associates and successors, are hereby incorporated and made a body-politic, by the name and style of the "Argilite Mining and Manufacturing Company," and by that name may sue and be sued, plead and be impleaded, in all courts and places, contract and be contracted with in all matters pertaining to the business and objects of the corporation, and do any and all acts which a corporation incorporated for similar purposes may or can do in fulfillment of its charter and the objects and ends of its organization; may have a common seal, which may be changed and altered at the pleasure of the company.

Objects of cor-
poration.

§ 2. The objects and purposes of the incorporation of said company shall be the mining for coal, iron ore, petroleum, carbon or rock oil, and any and all other minerals or mineral substances, or the direct products of the earth, or any or all of them, and the manufacture and refining of any or all of them, and transportation to market of the

same. The location and field of mining and manufacture of said company shall be in Greenup, or any of its adjoining counties.

1865.

§ 3. The capital stock of said company shall be one hundred thousand dollars, to be increased by a vote of a majority of the members to any sum not exceeding five hundred thousand dollars, to be divided into shares of twenty dollars each; which shall be personal property, and assignable in such manner as may be prescribed by the by-laws of the company; and lands and other real estate, mines, and mining rights, may be subscribed as a part or the whole of said stock, upon such terms as may be agreed upon by the subscriber and the company.

Capital stock.

§ 4. The stock, property, and general prudential affairs of said company shall be managed by a board of not less than three nor more than seven directors, to be chosen for one year by the stockholders, and every stockholder shall have one vote for each share owned by him, her, or them: *Provided*, The directors first elected shall hold their office for the remainder of the current year: *And provided further*, That a president of the board shall also be elected by the directors from among them or the stockholders, who shall hold his office for the same term with the directors; the president and directors shall be stockholders of the company, and they may appoint such other officers and agents and employes as they may deem proper; a majority of the directors shall constitute a quorum.

Board of directors, president, &c.

To be stockholders.

§ 5. The company shall keep a book, which shall be open to the inspection of the stockholders, and each of them, at all times, in which shall be kept the names and amount of stock held and owned by each stockholder, and the amount paid in; also, a book in which shall be kept a full and faithful account of the proceedings, elections, rules, and by-laws, and acts of said company, except its accounts and contracts with individuals.

Record of stockholders & stock to be kept.

§ 6. The president and directors may make such by-laws as they may deem proper, prescribing the times, places, and manner of holding elections, the transferring of stock, the forfeiture thereof for non-payment, the time and manner of payment, the duties of officers, agents, and employes, their authority and powers, filling vacancies in office, the character, kind, and amount of business, and all such as may be necessary for the proper, prudential, and effective management of the property and business of the corporation and the objects and interest of its creation, provided the same are not repugnant to this act, the constitution and laws of this State and of the United States.

May make by-laws.

§ 7. Said company shall have power, and may, if they choose so to do, lock and dam Little Sandy river up to their

May lock and dam Little Sandy River.

1865.

mines and property: *Provided*, For the condemnation of lands and property for said purpose, the proceedings shall be had as now provided by law for the condemnation of mill sites.

May take and
hold lands.

§ 8. Said company shall have power to take, acquire, and hold such lands, mines, and mining rights as they may deem necessary for the uses of said company; and all such personal property, machinery, boats, floats, &c., as may be necessary, and to dispose of, for the use of the company and the stockholders, any or all of the same.

§ 9. This act shall be in force from its passage.

Approved March 4, 1865.

CHAPTER 1392.

AN ACT to incorporate the Drennon Spring Oil Company, of Henry County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That Thomas H. Foulds, J. L. Foley, J. C. Sayers, Chas. Stewart, and John Marshall, and their associates and successors, are hereby created a body-politic and corporate, by the name and style of the "Drennon Spring Oil Company, of Henry County, Kentucky," and by that name said incorporation shall have power to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places, as a natural person, forever; and to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company, and the conduct of its business, not inconsistent with the constitution and laws of this State and the United States.

May hold real
estate.

Powers of cor-
poration.

§ 2. The said company shall have power to purchase, acquire, and hold such real estate, in the State of Kentucky and elsewhere, by lease, in fee simple, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and in any other manner search for oil, coal, salt, and any other mineral products and deposits in the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market, any or all of said mineral products, oils, or deposits aforesaid, and to transport or sell the same in or out of this State; to buy, erect, or construct all buildings, machinery, tools, fixtures, and personal property deemed necessary or proper in carrying on said business, or any part thereof; to sell, convey, transfer, or assign all or any part or interest in said estate, real or personal, corporeal or incorporeal, and to exercise any necessary or proper

powers to carry out the expressed powers herein granted; said company may hold its main office within or out of this State, as the board of directors may decide is best for the interests of the company. Said company shall not have nor exercise any banking powers, but it may borrow money upon such bonds, or other evidences of debt, as the board of directors may direct, to be executed in such sums, and at such times, and in such places, and at such rate of interest, not exceeding ten per cent. per annum, as the board of directors may deem advisable; and they may execute mortgages upon any or all the property of the company to secure the payment of such debts, from time to time, as may be created.

1865.

Main office.

No banking powers, but may borrow money.

§ 3. The capital stock of said company shall not exceed four millions of dollars, to be divided into shares of ten dollars each, which shares shall be personal property, and shall be evidenced and transferred as prescribed by the by-laws of the company; the board of directors may fix the capital stock, at first, at a less sum than four millions of dollars, and increase the same, from time to time, as they may deem expedient, but not above said sum. The said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe, in the terms of subscription, the manner of payment, and the time, manner, and grounds of forfeiture of stock subscribed for and not paid in, as required by call; and when not less than ten thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business, and the board, or a majority thereof, shall organize by electing one of their number to be president of the company; the president and directors shall have power to appoint a secretary, treasurer, and such other inferior officers as the company, from time to time, may require; fix their salaries and prescribe their duties, as well as those of the president, and the time such inferior officers shall hold their respective positions; and may require and take from all officers such bonds as may be necessary to secure a faithful discharge of their duties; and may remove such inferior officers at pleasure.

Capital stock.

First board of directors.

May open books.

Officers to be appointed.

§ 4. The president and directors shall provide, by the by-laws, for the annual election by the stockholders of a board of directors of not less than five, nor more than nine, who, when elected in each year, shall choose one of their number as president as aforesaid, and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof

Board of directors, president, &c.

1865. as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board, occurring between annual elections, as shall be provided in their by-laws.

How stock voted. § 5. Each share of stock shall entitle the holder to one vote at the election of directors, or in stockholders' meetings, for any purpose, and must be voted by the holder in person, or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not at the time, in good faith, own in his own exclusive right at least five shares of the capital stock of said company, paid up in full.

May appoint agents. § 6. The said by-laws may provide for the appointment, employment, and payment of all necessary agents, employes, and operatives of said company.

May declare dividends. § 7. The said company may, from time to time, as it may deem proper, make, declare, and pay dividends or profits, and distribute its net receipts and proceeds of sales among the stockholders, *pro rata*, according to the amount of stock held by each.

§ 8. This act shall be in force from and after its passage.

Approved March 4, 1865.

CHAPTER 1393.

AN ACT to incorporate the Jefferson Printing Company, of Louisville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That H. H. Holmes, Wm. L. H. Owens, and their associates and successors, be, and they are hereby, incorporated, by the name and style of the "Jefferson Printing Company, of Louisville;" and they are hereby invested with full power to acquire and hold and convey property, real and personal, to the amount of twenty thousand dollars; sue and be sued, plead and be impleaded, answer and be answered unto; form a constitution and by-laws; devise and use a common seal; and do all other acts not incompatible with the laws of this State or of the United States.

§ 2. The object of the incorporation shall be the publishing of newspapers, magazines, and carrying on the publishing and printing business, book binding and paper ruling, and purchasing and selling articles used in printing offices, and doing a general advertising business as principals and agents.

§ 3. The capital stock of said company shall not exceed twenty thousand dollars, which amount may be regulated by the company; but no share shall be sold for less than ten dollars.

1865.

§ 4. The company may make such laws regulating the election of trustees, their duties and powers, as are not inconsistent with the laws of this State: *Provided*, That nothing herein contained shall be so construed as to empower this company to do a banking business.

§ 5. That the shareholders shall be individually liable for its debts in the same manner, and to the same extent, and upon the like proceedings, as shareholders in corporations that may be formed under the so-called general manufacturing law, passed March 10, 1854, are liable under the provisions of that act.

§ 6. This act to take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1394.

AN ACT to amend the laws of the town of Consolation, in Shelby county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the free white male inhabitants of the said town, who shall have attained the age of twenty-one years, are hereby authorized and required to meet in said town on the first Saturday in May, 1865, and on the same day in each succeeding four years, and elect four trustees, a police judge, and marshal for said town; which trustees, together with the police judge, or a majority of them, shall form a board, and shall be authorized to make by-laws, and enforce the same by fines and penalties, for the regulation, improvement, and government of said town.

Trustees, police judge & marshal to be elected.

§ 2. That the trustees now in office, together with the police judge and marshal, shall hold their office until their successors are elected and qualified: *Provided, nevertheless*, That the said board shall appoint two qualified persons to superintend and preside as judges of said elections at least two days before said election is required to be held, who, before opening the polls, shall take oath to act fairly and impartially in the discharge of their duty, and who shall determine all controversies and matters relating to said election; and, in case of disagreement, the town marshal, who shall be present, shall give the casting vote; the poll-book shall be duly certified by the judges of the election, and filed with the papers of said trustees; the clerk of the said election shall notify each person of his election, and the trustees shall make a reasonable allowance to said judges and marshal for their services, at the first meeting held after said election.

Present trustees to hold office until others elected and qualified. Judges of election.

Poll book to be filed.

§ 3. That the police judge shall be president of said board, who shall have power, together with a majority of said board, to appoint a supervisor of the streets and roads,

Police judge president of board of trustees, and their powers.

1865.

which supervisor, together with all male inhabitants of said town between the age of sixteen and fifty years, shall keep the streets of said town in repair, also the roads leading out of said town, for one fourth of a mile in each direction, beginning at the steam mill now owned by Bohannon & Cardiman: *Provided*, If any person, when one day notified to work on said street and road, shall fail to appear and work as required by said supervisor, then he shall be fined before said judge the sum of \$1 50 for each day he may so fail, unless he shall have a reasonable excuse, which fine shall be collected, together with cost, and if a slave or a minor, then of his master, employer, or parent: *Provided*, No person shall be required to so work more than two days in one week.

Marshal to execute bond.

Jurisdiction of Judge.

How fines applied.

May have streets & alleys opened.

County court no power to grant licenses in said town.

Power vested in trustees.

How obtained.

§ 4. That the town marshal shall execute bond before said board, with surety approved by a majority of said board, containing the condition of a constable's bond; and upon suit upon said bond, the recovery shall be the same as is or may be recovered from a constable, and collected in same way; and the jurisdiction of said judge shall be the same as a justice of the peace of Shelby county in civil cases, and he shall have exclusive jurisdiction of all penal offenses committed in said town, where the fine is not over one hundred dollars; and said marshal shall have the same power and authority, in both civil and penal cases, as a constable of Shelby county: *Provided*, That all fines that may be so collected shall be applied to the improvement of the streets and sidewalks of said town.

§ 5. That the said board of trustees shall have right to require any street or alley to be opened, and, after one month's notice in writing to a person who has the same closed, shall have right to sue for and recover for same, together with cost, which suit shall be in Shelby circuit court.

§ 6. That from and after the passage of this act, the county court of Shelby county shall not have the power to grant license to any person to keep tavern, or retail liquors of any kind whatever, within the limits of said town, or within one half mile of the same; and after the passage of this act, the board of trustees shall have the sole and exclusive right to grant such license: *And provided, nevertheless*, That said board shall in no instance grant such without duly observing the law in such cases made and provided, nor until all the requisitions of the same are, on the part of the applicant, fully and *bona fide* complied with, and not without the applicant having first produced to the board the receipt of the Shelby county court clerk for the taxes upon such license as fixed by law; and the said board shall take from the applicant such bond as is now required by law, and when so taken, shall cause the same to be lodged with the

clerk of the county court for said county, who shall file the same as other bonds of same kind; that the clerk of said board shall be entitled to one dollar for taking said bond: *And provided further*, That if the license is to extend to the applicant the privilege of retailing spirituous liquors by the small, then said board shall charge, for the benefit of said town, not less than one half the amount paid the Commonwealth: *Provided further*, That said board shall have the right to take the license so granted from any person who shall keep a disorderly house, or suffer persons to tipple in such house to an excess: *Provided further*, That in case of a vacancy occurring, either in judge, marshal, or trustee, then a majority of said board shall make appointment to fill the same, who shall qualify as before directed; the said judge, marshal, and trustees shall take the oath required by the constitution.

1865.

May revoke license.

Vacancies.

§ 7. That the said judge shall be commissioned by the Governor as justice of the peace.

Judge to be commissioned.

§ 8. That all acts and parts of acts coming within the purview of this act are, shall be, and the same is hereby, repealed.

Approved March 4, 1865.

CHAPTER 1395.

AN ACT to incorporate Montana and Greasy Creek Iron, Coal, Oil, Salt, and Lumber Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Wm. A. Warner, M. R. Mitchell, A. G. Gower, W. R. Biggs, and Leslie Combs, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Montana and Greasy Creek Iron, Coal, Oil, Salt, and Lumber Company," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company, not inconsistent with the constitution and laws of this State or of the United States.

Corporators' names, and corporate powers.

§ 2. The capital stock of said company shall not exceed two hundred thousand dollars, which shall be divided into shares, subscribed and paid for in such manner as said company may by its by-laws prescribe.

Capital stock.

§ 3. That said company shall have power to appoint any one or more of its members, or other persons, to manage, contract, and direct the business of said company, accord-

Who to manage affairs of corporation.

1865. ing to the by-laws, rules, and regulations which said company may adopt.

May hold real estate.

§ 4. That said company may acquire and hold such real and personal estate, by contract, as they may deem necessary or proper for the carrying on the mining of coal, the procuring and manufacture of salt, iron, coal, oil, and lumber, and the transportation thereof to market; together with such quantities of land as may be necessary for the establishment of forges, furnaces, mills, and landings, machinery, and depots for the same.

Record of stockholders & No. of shares to be kept.

§ 5. The said company, when fully organized, shall cause a book to be opened, and kept subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred on said books in the manner to be prescribed by the by-laws of said company; and each member shall share the profits and liabilities of said company to the extent of and in proportion to the amount of capital stock he owns in said company, and no further.

Repealing clause and no banking powers

§ 6. The Legislature reserves the right to repeal or alter this charter at will after thirty years. Nothing contained in this charter shall be construed into conferring banking powers upon this company.

§ 7. This act to take effect from its passage, and remain in force thirty years, and until repealed by the General Assembly.

Approved March 4, 1865.

CHAPTER 1396.

AN ACT to incorporate the Oil Spring, Kentucky, Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Colonel Sidney B. Jones, Wm. N. Thompson, and J. C. Beck, M. D., together with their associates and successors and assigns, be, and they are hereby, created and made a corporation and body-politic, under the name and style of the "Oil Spring, Kentucky, Petroleum Company," and by that name shall have perpetual succession, and be capable in law of all the usual powers of such incorporated companies.

§ 2. The capital stock of said company may be any sum not exceeding five hundred thousand dollars, divided into one hundred thousand shares of five dollars each share.

§ 3. The corporators named in this act, or any one of them, may, within thirty days, open the books for subscriptions, and one dollar of each share so subscribed shall be paid or secured at the time of subscribing, and the balance as may be ordered by the corporators or directors.

§ 4. The corporators shall be the inspectors of the first election, and allow one vote for every share of stock held and owned by any stockholder, and certify the result of said election under their own signatures, and turn over to the directors so elected all papers and other property belonging to said company; such directors, when elected, shall hold their office for one year; however, should any one or more, from any cause, fail to perform their duty or duties, the other members of the board of directors may declare their place or places vacant, and proceed to fill such vacancy or vacancies until their places are filled at an annual election; there shall be such number of directors, and such number of members of the advisory board of directors, as may be determined by the corporators, or subsequently by the directors.

1865.

§ 5. The board of directors may employ a geologist and a superintendent, and such other officers and agents as they may deem best for the interest of the company, and fix their salary or salaries at such compensation as to them may seem just and proper; and also fix the salaries of the president and secretary of said company, and may, from time to time, increase or diminish said salaries or compensation, provided they have the consent of the officer or agent, otherwise give him or them one month's notice of a decrease in said salary or compensation.

§ 6. Said corporators, or after directors are elected, are hereby empowered to make by-laws and rules for the government of the company, and regulations for the transfer and sale of stock and stock certificates.

§ 7. The Legislature reserve the power to alter or amend this charter, from time to time, as they may deem best for the interest of this Commonwealth.

§ 8. This act shall be in force from and after its passage.

Approved March 4, 1865.

CHAPTER 1397.

AN ACT to incorporate the Greenup County and Little Sandy Mining and Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Wm. P. Anderson, A. G. Burt, Wm. Dodd, John Bogher, and James C. Moores, their associates and successors, are hereby made a body corporate and body-politic, with perpetual succession, and the right to have a common seal, which they may change and alter at pleasure, by the name and style of the "Greenup County

Corporators' names, and corporate powers.

1865.

and Little Sandy Mining and Petroleum Company," and by that name may contract and be contracted with in any matter pertaining to the business and object of the corporation, sue and be sued, plead and be impleaded, in any court.

Capital stock.

§ 2. The capital stock of said company shall be five hundred thousand dollars, to be divided into shares of twenty dollars each; the whole or any part of said capital stock may be subscribed in real estate, lands, mines, and mining rights or leases on the same. Said company may organize so soon as one thousand shares are subscribed as herein provided.

Objects of corporation.

§ 3. The intent and objects of said corporation shall be the mining, excavating, and boring for petroleum, rock, coal, or carbon oil, or other valuable mineral or volatile substances, or the manufacturing, refining, and transporting to market, and selling or disposing of the same or any part of the said products of their mines or property; and for this purpose said company shall have power to purchase, acquire, hold, sell, and convey and dispose of any lands, mines, mining rights, leases, or real estate, or any interest therein, not exceeding ten thousand acres, in the county of Greenup and adjoining counties; machinery, building, tools, and any and all other kinds of personal property which said company may deem necessary to carry on and properly conduct their business; and to make all contracts, and do all acts, appoint and employ all necessary agents, officers, and employes, make such by-laws, rules, and regulations not inconsistent with this act, the constitution and laws of the United States, or of this State, which said company may deem proper and necessary to conduct said company's affairs and carry out the intention of its creation, or for the prudential management of its property and interests, or for the disposition of the property thereof, for the uses of said company or the stockholders thereof.

Powers of corporation.**Stock personal estate.**

§ 4. The shares of the capital stock of said company shall be personal property, and shall be assignable on the books of said company in such modes as shall be prescribed in its by-laws.

May make by-laws.

§ 5. Said company may make such by-laws as they choose as may prescribe the time, place, and elections of officers, the appointment of agents, laborers, and other employes, the admission of members, filling of vacancies, meetings for elections, duties of officers, agents, and employes, subscription of stock, and the mode and times of payment thereof, and manner of recovering or enforcement of payment of stock, and in general prescribing the prudential management of the affairs of said company.

§ 6. The affairs of said company shall be managed by a president, to be chosen from the directors, and not less than three nor more than seven directors, to be chosen by ballot by the stockholders at such times and places as may by the by-laws be prescribed; the officers first chosen shall hold their office to the next annual election after they are chosen; after that all others shall be chosen annually, and hold their offices for one year and until their successors are qualified. In all elections or votings of the stockholders each share of stock shall count one vote, and shall be given by ballot, and may be by the owner thereof in person or by proxy, in writing.

1865.
Who to manage affairs of corporation.

How stock voted.

§ 7. Nothing herein contained shall be construed into a grant of banking powers.

No banking powers.

§ 8. This act shall be in force from its passage.

Approved March 4, 1865.

CHAPTER 1398.

AN ACT to amend the charter of the Jefferson and Hardin Coal and Rock Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the charter of the Jefferson and Hardin Coal and Rock Oil Company be amended as follows:

1st. That the shares of the capital stock of said company shall be twenty-five dollars, instead of fifty dollars, and that one dollar shall be paid upon all money subscriptions, instead of five dollars.

§ 2. That the individuals named in the first section of the charter shall be the directors of said company, and upon a failure of any one to act, the remainder may constitute the board; and said directors shall hold their respective offices for two years, and until their successors are elected; and a majority of said directors may elect a president from said board, whose term of office shall be two years, and until his successor is elected.

§ 3. Said company may purchase real estate, and lease real estate, for any number of years agreed upon, and may receive conveyances and leases for oil, mineral, and ore lands, and assignments of leases, as capital stock to said company, and issue stock certificates for the same.

§ 4. Said president and directors may issue bonds on the faith of the property and capital stock of the company, and pledge the same as security for payment, to an amount not exceeding in the aggregate two hundred thousand dollars, and not to bear over eight per centum per annum interest, and not to run exceeding ten years; and may sell said bonds and do all other needful things of the objects of its charter.

1865.

§ 5. Said company may make all needful roads and viaducts for the purpose of transporting its oil, minerals, ores, and other substances to market; and may sell and dispose of its property; in all instances when a road is made, the consent of the owner must first be obtained, or the land condemned, as in similar cases.

§ 6. The president and directors may at once proceed to organize and operate in the business of the company without regard to the amount of stock subscribed; and the president and directors shall, every two years, hold an election for directors, and shall give at least one month's notice in some newspaper in Louisville of the time and place of holding said election.

§ 7. This act to take effect from and after its passage; but this corporation shall in no case have or use any banking powers or privileges.

Approved March 4, 1865.

CHAPTER 1399.

AN ACT to incorporate the Little York Petroleum and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That W. George Anderson, R. C. Hewitt, R. A. Robinson, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name, style, and title of the "Little York Petroleum and Manufacturing Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

Capital stock.

§ 2. The capital stock of said company shall be one hundred thousand dollars (\$100,000), and may be increased or diminished fifty per cent. by a vote of a majority of the stockholders at any time, upon a notice of ten days, to be divided into shares of ten (\$10) dollars each; said company may, however, commence operations as soon as ten thousand dollars (\$10,000) of said capital stock shall be subscribed and paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors of said company at such times as may seem to them best.

When to commence operations.

§ 3. The said company shall have the power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to conduct a general manufacturing business; to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same, and other products of lands now owned or leased by them, or which may be hereafter owned or leased by them; to purchase, build, and own boats, and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights, and rights of way and real estate, as they may deem necessary for the successful prosecution of their business, and the same, or any part thereof, to sell or otherwise dispose of, as the interests of said company may require.

1865.

May hold real estate.

Business of corporation.

§ 4. For conducting the affairs of said company a board of five directors shall be chosen; said board shall choose one of its number, who shall be the president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The president and directors shall have power to appoint all officers, agents, and servants under them, and to remove them at pleasure. In all elections each twenty shares of stock shall entitle the holder thereof to one vote: *Provided*, That each stockholder shall be entitled to at least one vote; and stockholders may vote by proxy.

Board of directors, president, &c.

Officers to be appointed.

How stock voted.

§ 5. The stock of said company shall be deemed personal estate.

Stock personal estate.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided*, however, That the stock at no time shall exceed the maximum amount herein mentioned.

May open books.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow or obtain on loans such sums of money, and on such terms, as they may deem expedient for the use of said company; and to pledge or negotiate all or any part of the estates, improvements, privileges, effects, and assets of said company for the repayment of said sums of money so borrowed, at such times as may be agreed upon.

May borrow money.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

Stock may be forfeited.

§ 9. No banking powers are conferred upon this corporation; and the right to alter, amend, or repeal this charter is reserved to the General Assembly.

No banking powers.

§ 10. This act to take effect from its passage.

Approved March 4, 1865.

1865.

CHAPTER 1401.

AN ACT to incorporate the Kinniconick and Salt Lick Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That George M. Thomas, Wm. C. Halbert, John P. Willim, Thomas W. Mitchell, and Thomas D. Parker, are hereby constituted a body-politic and corporate, under the name of the "Kinniconick and Salt Lick Petroleum Company." The capital stock of the company shall be \$500,000, divided into shares of not less than \$5, nor more than \$50, to be determined by the board of directors. The foregoing named persons shall be the first board of directors; they shall choose one of their number president. They shall have power to open books for the subscription of stock, and when \$20,000 is subscribed the company may proceed to business, and exercise all the powers herein granted. The business of the company, and its rights and privileges, shall be the same as contained in an act passed at the present session, entitled, "An act to incorporate the Greenupsburg and Cincinnati Petroleum and Oil Company," except that the business of the company shall be the development of the minerals and petroleum in the county of Lewis.

§ 2. This act shall take effect from its passage.

Approved March 4, 1865

CHAPTER 1402.

AN ACT to incorporate the town of Sonora, Hardin County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Boundary of town.

Trustees to be elected.

Name & style, and corporate powers.

Qualification of voters.

Term of office.

§ 1. That the town of Sonora, Hardin county, be, and is hereby, incorporated, with the following limits, viz: One mile square, to be so laid off as to make the depot the center. On the first Saturday in April, 1865, five trustees shall be elected for said town, who, with their successors in office, are hereby created a body-corporate and politic, under the name and style of the "Trustees of the Town of Sonora," and under that name they may sue and be sued, plead and be impleaded, in all the courts of the Commonwealth; may own, buy, sell, and convey real estate, both within and outside of the corporate limits of said town, for church, school, and cemetery purposes.

§ 2. All the qualified voters living inside the corporate limits, or any qualified voters owning real estate within the corporate limits of said town, shall be entitled to vote in the election of trustees and all other town officers.

§ 3. The trustees shall continue in office one year, and until their successors are duly elected and qualified, and

shall take an oath faithfully to attend to all the duties of their office; they shall elect a clerk, who shall enter at large upon a book kept for the purpose the proceedings of the board at each meeting.

1865.

Clerk to be elected.

§ 4. The trustees, by concurrence of two thirds of the voters of said town, shall have power to levy a tax of not more than fifty cents on each poll within its corporate limits, and not more than ten cents on each one hundred dollars' worth of property in said town subject to taxation for State revenue; they shall prescribe the number of taverns, eating and drinking saloons, and impose a suitable tax, not exceeding one hundred dollars, upon all establishments, and upon all shows and exhibitions, the money to be applied to the improvement of said town.

May levy tax.

No. of taverns, eating houses, &c., and may impose tax upon shows, &c.

§ 5. The first Saturday in May, 1865, the board of trustees shall order an election (giving ten days' previous notice) for a police judge and town marshal, and thereafter the police judge shall be elected when the county judge is elected, and hold office for the same time; the town marshal shall be elected at the same time constables are elected, and hold his office for the same time; to take the oath and give the bond, and in all respects to be liable as constables are liable.

Police judge & marshal to be elected, & term of office.

§ 6. The poll-book of said election shall be returned by the clerk to the judge of the Hardin county court, at the first term after said election, and the result shall be certified by the judge of said court to the Secretary of State, and the Governor shall issue a commission to that person who may be elected police judge, who shall take the same oath taken by the county judge, and in all civil cases shall have the same jurisdiction as a justice of the peace, be subject to the same rules and regulations, and be entitled to the same fees; and in all criminal cases arising in the town, shall have the same jurisdiction as the county judge, and be entitled to the same fees; and in all violation of town regulations shall have the same jurisdiction, and be entitled to the same fees as a magistrate for similar services.

Poll book to be returned to county judge.

Police judge to be commissioned.

Jurisdiction.

§ 7. The town marshal shall execute all processes issued by the police judge of said town, and be entitled to the same fees as constables for similar services; and may execute any process issued by a magistrate of the county, and have concurrent jurisdiction with the constable within and for said county.

Jurisdiction of marshal.

§ 8. A majority of the trustees may constitute a quorum to do business, and they shall have power to make by-laws for the government of the town, not inconsistent with the laws of this Commonwealth, nor inconsistent with the laws or constitution of the United States. In case a vacancy shall occur in the board, by death or otherwise, an election (after ten days' notice by the chairman of the

Quorum; by-laws, &c.

Vacancies.

1865.

board) shall be held to fill said vacancy; and in case the police judge or town marshal's office should be vacated, by death or otherwise, the trustees shall proceed to order an election for said officer, giving ten days' previous notice of said election, appointing the necessary officers to conduct it, in all respects as hereinbefore provided for; and the police judge and town marshal so elected shall serve until the next regular election.

§ 9. The Legislature reserves the right to alter, amend, or repeal this act.

§ 10. This act to take effect from its passage.

Approved March 4, 1865.

CHAPTER 1404.

AN ACT to incorporate the Auburn Building, Mining, and Manufacturing Association.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That Peter Beal, S. L. Massey, Jacob Hawthorne, F. M. Webster, and John P. Jackson, their associates, successors, and assigns, be, and they are hereby, created a body corporate and politic, by the name of the "Auburn Building, Mining, and Manufacturing Association," with perpetual succession, and full power to contract and be contracted with, sue and be sued; and to acquire by purchase, deeds of conveyance, lease, or other lawful mode, any real or personal property whatever, and which the directors hereinafter provided shall deem advisable or need in the transaction of the business of the association; and the same, or any part thereof, to sell, convey, lease, or otherwise dispose of, as may seem best; and with full power of mining for minerals or other substances that may be obtained from the earth by digging, boring, or other process; and of purchasing lands or town lots, laying out, improving, or cultivating the same, and disposing of the products in such manner as the board of directors may determine; and of constructing roads through the lands of the association, and erecting such buildings, dwellings, and machine shops, &c., as the board of directors may deem advisable, and of selling and disposing of the same; and of manufacturing, marketing, and trading in coal, minerals, salt, iron, petroleum, &c., together with all incidental powers pertaining to said business; and generally to do and perform for the interest and well-being of said association whatever shall lawfully pertain to such corporate bodies; and the association may have and use a corporate seal.

§ 2. The capital stock of said association shall not at the organization thereof exceed \$300,000, but may at any time thereafter, at the discretion of the directors, be increased to \$1,000,000; and the capital stock shall be divided into shares of ten dollars (\$10) each.

1865.
Capital stock.

§ 3. That the above named corporators, or such of them as shall act, shall have full power to organize said association, and for that purpose shall meet in the city of Newport, State of Kentucky, and form themselves into a board of directors, as provided for in this act, for the first year, and until their successors are elected and qualified; and may appoint a president of said board, and a secretary and treasurer, and define the duties of the same. That after the organization of the association as above provided, the board of directors shall have power to appropriate, sell, or otherwise dispose of all or part of the capital stock of the association, on such terms, in such manner, and under such rules and regulations as the board, from time to time, may adopt, not inconsistent with the constitution or laws of this State or of the United States.

Board of directors, president, &c.

Secretary and Treasurer appointed.
May sell capital stock.

§ 4. The shares of stock shall be transferable, and the board of directors may adopt such rules and regulations in regard thereto as may be deemed best. The said board of directors may establish such general rules and regulations and by-laws, and alter the same from time to time, as may by them be deemed advisable for the efficient and good government of its officers, agents, and affairs.

Stock transferable.

May make by-laws.

§ 5. Elections for directors shall be held at such time and place as the board may appoint; all of said directors shall hold their offices for one year, and until their successors are duly elected and qualified; each board, including the first, shall appoint one of their number president, and in his absence the board may appoint a president *pro tem.*; the first, or any subsequent board of directors, may, from time to time, borrow money for the use of the association, not exceeding the capital stock, and at a rate of interest not exceeding ten per cent. per annum, and may issue the bonds or notes of the association therefor in sums of not less than one hundred dollars; and may mortgage and pledge any of the property or assets of the association for the payment of the same, including principal and interest; they may issue bonds, with or without interest coupons, and sell the same at any rate of discount that may be deemed advisable, and which may be convertible, in whole or part, into stock of the association, and the capital stock shall be increased accordingly; they shall have power to invest or loan the surplus funds of the association on such securities as the board may determine; but in no manner or respect shall said association engage in the business of banking. A majority of the board shall consti-

Elections.

President, term of office, &c.

May borrow money.

May issue bonds.

May invest surplus funds.

Quorum.

1865.

Secretary and
treasurer.

tute a quorum for the transaction of business; it shall be the duty of the board to appoint a secretary and treasurer, and require of them bonds, with approved security, for the faithful performance of their respective duties; and may also employ all such other agents and officers as they may deem necessary, and discharge them at pleasure; and may fill any vacancies occurring in the board; the books, maps, charts, and records of said association shall at all times be accessible to the stockholders, and open to their examination and inspection.

§ 6. This act shall take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1405.

AN ACT for the benefit of Clayvillage, in Shelby County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the trustees of the town of Clayvillage, in Shelby county, are hereby authorized to levy an ad valorem tax on the property listed for taxation for revenue purposes, belonging to the citizens of said town, for the purpose of purchasing a lot in said town belonging to James F. Middleton, for the purpose of establishing a first class school.

§ 2. The said trustees are hereby authorized to levy said tax for three consecutive years, and to levy and collect such sum or sums of money as will be sufficient to purchase the lot aforesaid, and to repair the buildings thereon, so as to put them in good repair for the purpose aforesaid: *Provided*, The tax levied shall not exceed fifty cents per \$100 in any one year.

§ 3. The said trustees are to hold the title to said property in their corporate character, and their successors after them, forever; and to make such by-laws and regulations for the management of said school, when put in operation, as they may think proper, provided they are not in contravention of the laws and constitution of the United States and of this State.

§ 4. This act to take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1406.

1865.

AN ACT to incorporate the Lawrence Coal, Iron, and Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That George W. Coons, James A. Johnson, William Wurts, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Lawrence Coal, Iron, and Oil Company," and by that name shall have perpetual succession, for the purpose of boring for oil, manufacturing and refining the same, mining coal, manufacturing iron and lumber upon the lands of said company now owned or which may be hereafter acquired by them, situated in the counties of Lawrence and Boyd, in the State of Kentucky, with all the rights, powers, duties, and privileges conferred by the act of this General Assembly, entitled "An act to incorporate the Cloverport Oil and Coal Company," approved December 29th, 1861, which act, so far as the same may be applicable, is hereby adopted and made part of this act.

§ 2. The capital stock of said company shall be three hundred thousand dollars, which may be increased by said company to any sum which in their judgment may be necessary for the proper management and prosecution of their business; said stock to be divided into such shares as the said company may prescribe. No banking privileges are allowed or granted in this act.

§ 3. This act shall take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1408.

AN ACT to incorporate the Little Sandy Mining and Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Robt. W. Robb, Rich. F. Robb. and W. C. Ireland, be, and they are hereby, created a body-politic and corporate, by the name of the "Little Sandy Mining and Oil Company," with perpetual succession, with all the powers and rights incident to corporations, for the purposes hereinafter mentioned; and the above named persons shall be and constitute the first board of directors, and hold office for one year, or until their successors are elected by a majority in interest of the stockholders, any two of whom shall constitute a quorum; and may fill any vacancy resulting from death, refusal to act, or otherwise.

Corporators' names, and corporate powers.

§ 2. The corporation hereby created is authorized and empowered to acquire and hold lands, in fee simple or by lease, and to bore, mine, and excavate for petroleum, salt, and other minerals, on said land; and to vend the same in

May hold lands.

Business of corporation.

1865.

Capital stock.

a crude state, or refine the same, and vend in any market. The capital stock of said company shall be five hundred thousand dollars, and may be increased by a majority in stock of the stockholders to one million of dollars; the stock shall be divided into shares of not less than five nor more than fifty dollars, as the directors may determine; the shares of stock may be transferred on the books of the company, in the manner prescribed by the by-laws; the board of directors may adopt such by-laws as they may deem necessary and proper to carry on the business of the corporation, not inconsistent with the constitution and laws of the United States or of this State.

When directors to be elected.

Number directors, & term of office.

President.

Offices established, & officers appointed.

May open books.

May own personal estate.

§ 3. Whenever twenty thousand dollars of the capital stock is subscribed, and twenty per cent. thereof paid, the directors, or any two of them, shall give notice of the time and place of the election of a new board of directors, in some newspaper, for such time as they may deem proper; the stockholders may vote by proxy; the new board, elected as above provided, shall be constituted of not less than three, nor more than five members, as may be fixed by the by-laws, and shall hold their office for one year, and until their successors shall be chosen; they shall select one of their number as president, and exercise all the powers hereby conferred; the company may establish offices at any place they deem proper, and appoint secretary, treasurer, and other officers fixed by the by-laws; any of the incorporators herein named may open books of subscription, and receive subscriptions to the capital stock of said company; and may receive subscriptions of stock in real estate, oil wells, oil privileges, or other mineral privileges, at such price as may be agreed upon by a majority of the incorporators herein named; and the stock so taken in real estate, oil wells, oil privileges, or other mineral privileges, shall be deemed personal estate, and transferred as other stock; the books for the subscription of stock may be opened and closed at such times and places as a majority of the directors may deem proper; the corporation may hold and own all such personal estate as will enable them to carry on their business, and transporting the products thereof to market.

§ 4. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1409.

AN ACT to incorporate the Carter Coal, Iron, and Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William Wurts, Green H. McAtee, Marinus King, and their associates and successors, be, and they

1865.

are hereby, created a body-politic and corporate, by the name and style of the "Carter Coal, Iron, and Oil Company," and by that name shall have perpetual succession, for the purpose of boring for oil, manufacturing and refining the same, mining coal, manufacturing iron and lumber upon the lands of said company, situated in the counties of Greenup and Carter, in the State of Kentucky, or which they may hereafter acquire; with all the rights, powers, duties, and privileges contained in the act of this General Assembly, entitled "An act to incorporate the Cloverport Oil and Coal Company," approved December 29th, 1861; which act, so far as the same may be applicable, is hereby adopted and made a part of this act.

§ 2. The capital stock of said company shall be three hundred thousand dollars, with the power of increasing the same, from time to time, as said company may deem requisite, in the management and prosecution of their business, to any sum not exceeding one million dollars; said stock to be divided into such shares as the said company may prescribe.

§ 3. This act to take effect from and after its passage.

Approved March 4, 1865.

CHAPTER 1411.

AN ACT to repeal an act to authorize the County Court of Marion to levy a tax to build a Jail and Circuit and County Clerks' offices for said county, Approved January 28th, 1864, and to authorize said Court to levy an ad valorem tax for that purpose.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Marion county court, all the justices of said county being summoned for that purpose, and a majority being present and concurring therein, may, at any regular term of said court, levy an ad valorem tax on all the property of said county liable to taxation for State revenue, not exceeding ten cents on each hundred dollars in any one year, which shall be collected by the sheriff of said county, in the same manner as the State revenue is collected, and for the collection of which he shall have the same commissions; he shall account for said tax in the same manner and at the same time that by law he is now required to account for the county levy; and he and his securities shall be responsible for the same on the same bond, and in the same manner, as by law they are now responsible for the county levy; the tax herein authorized shall be only applied to the payment for the jail for said county now being built, and to the building of a circuit and county court clerk's office; and shall, if necessary, be levied for three years and no longer.

1865.

§ 2. That an act entitled "An act to authorize the county court of Marion county to levy a tax to build a jail, and circuit and county court clerk's office for said county," approved 28th January, 1864, is hereby repealed: *Provided*, That this repeal shall not affect any tax under said act that has already been levied by the Marion county court, but the same shall be collected and accounted for as though this act had not been passed.

Approved March 4, 1865.

CHAPTER 1412.

AN ACT for the benefit of Henry Brown, late Sheriff of Washington County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time of two years, from the passage of this act, be given to Henry Brown, late sheriff of Washington county, to distrain for and collect all unpaid taxes, county levies, and fee bills due him as sheriff of Washington county; but he and his securities shall be bound for the improper exercise of the power herein given him.

§ 2. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1413.

AN ACT to furnish the Clerk's Office of Whitley County with certain Books.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Secretary of State furnish to the clerk's office of the Whitley county court one copy each of Stanton's Revised Statutes and the Codes of Practice, to be forwarded when the acts of the Legislature are transmitted to said county.

§ 2. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1414.

AN ACT for the benefit of the Administrators of Thomas J. Engle, deceased.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time of two years, from and after the passage of this act, is given to the administrators of Thomas J. Engle, deceased, to collect and distrain for the

uncollected fee bills due him, either as clerk of the Jackson circuit or county court; but they shall be liable to all the penalties now prescribed by law against clerks for issuing and collecting illegal fee bills.

1865.

§ 2. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1415.

AN ACT for the benefit of John G. Cantrel, late Sheriff of Scott County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the further time of two years, from and after the passage of this act, be allowed to John G. Cantrel, late sheriff of Scott county, to list and collect his uncollected fees and arrearages of tax, subject to all the pains and penalties now prescribed by law for issuing or collecting illegal fee bills, or for making illegal distrainments for taxes.

Approved March 4, 1865.

CHAPTER 1416.

AN ACT for the benefit of Thos. Surber, late Sheriff of Pulaski County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Thomas Surber, late sheriff of Pulaski county, have the further time of two years, from and after the passage of this act, in which to collect his uncollected fee bills and arrearages of taxes due him, subject to all the pains and penalties now prescribed by law for issuing and collecting illegal fee bills, and for making illegal distrainments.

Approved March 4, 1865.

CHAPTER 1417.

AN ACT for the benefit of W. B. Hambleton, late County Judge of Breckinridge County,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That W. B. Hambleton, late county judge of the county of Breckinridge, have the further time of two years, from and after the passage of this act, to list and collect his uncollected fee bills, subject to all the pains and penalties now prescribed by law for issuing or collecting illegal fee bills.

Approved March 4, 1865.

1865.

CHAPTER 1418.

AN ACT for the benefit of William T. Vaughn, of Webster County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William T. Vaughn, of Webster county, be allowed the further time of two years to collect his magistrate's fees, subject to the laws for issuing or collecting illegal fee bills.

§ 2. This act to be in force from and after its passage.

Approved March 4, 1865.

CHAPTER 1419.

AN ACT for the benefit of John McGeorge, late Sheriff of Harlan County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That John McGeorge, late sheriff of Harlan county, be, and he is hereby, allowed the further time of two years to collect taxes and fee bills that may be due him, and may distrain for the same: *Provided, however,* That said McGeorge shall be subject to the same penalties that sheriffs of this Commonwealth are subject to for collecting illegal fee bills.

§ 2. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1420.

AN ACT to incorporate the Hope Life Insurance Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Allen A. Dillman, Noble Davis, N. H. Canaday, M. D., and J. C. Beck, M. D., together with their associates and successors and assigns, be, and they are hereby, created and made a corporation and body-politic, under the name and style of the "Hope Life Insurance Company," and by that name shall have perpetual succession, and be capable in law to have, purchase, or secure, possess, enjoy, and retain, to them and their successors, lands, rents, tenements, goods, chattels, public or private securities of any kind, quality, or nature whatsoever, and to sell and dispose of the same at any time, or in any manner; and sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in any court of record, or in any place whatsoever; also to make and use a common seal, and the same to break, alter, or renew at pleasure; also to ordain, establish, and put into execution

Corporators'
names, and cor-
porate powers.

such by-laws as may be necessary and convenient for the government of said corporation, not contrary to laws of this State.

1865.

§ 2. The capital stock of said company shall be one hundred thousand dollars, divided into shares of one hundred dollars each; fifty thousand dollars of the above capital stock may be in real estate at the value estimated by the above named corporators.

Capital stock.

§ 3. The corporators named in this act, or any two of them, shall, within sixty days after the passage of the same, give notice in one or more of the newspapers printed in the city of Newport or its vicinity, of the time and place of opening books for the subscription of stock; and when the half of said stock has been subscribed, the persons who gave the first notice shall give a like notice of a meeting of the subscribers, when ten dollars shall be paid in hand on each share subscribed for, the remaining ninety dollars in each share secured by note of hand, with one or more sufficient security or securities, payable to said company; and such notes so given shall be paid at such time or times as the president and directors of said company may direct; and all such subscribers as shall fail to pay ten dollars on each share subscribed for, and execute a note with security or securities as aforesaid for the balance, on the day designated in the second notice, shall cease to be stockholders, and the stock subscribed for by them may be subscribed for by others, under the direction of the persons who received the original subscription; and as soon as the ten dollars on each share is paid, and the remaining ninety dollars secured as aforesaid, the said corporators, or some one of them, shall give a public notice for a meeting of the shareholders, to choose a president and twelve directors; and the said corporators shall be inspectors of the first election of president and directors, and shall certify under their hands the names of those duly elected, and deliver over the subscription books, money, and notes, and deeds conveying real estate, to the president and directors; and in case of the death or resignation, or from any other cause, the president or any director failing to perform their duty or duties, their place or places shall be declared vacant, and such vacancy or vacancies may be filled for the remainder of the year, wherein they may happen, by the board of directors; and in case of the absence of the president, the board of directors shall have power to appoint a president *pro tempore*, who shall, for the time being, have the powers and functions of the president.

Books to be opened — when and where, and stock how paid.

President & directors to be elected.

Vacancies.

§ 4. After the first election, the annual election for president and directors shall be held on the first Monday in January in each year, or as soon thereafter as may be;

Annual elections.

1865.

and in case it should at any time happen that an election for president and directors shall not be made on the day designated by this act, the corporation shall not for that cause be dissolved; but the old board shall continue in office until their successors shall have been elected and qualified.

Stock trans-
ferable.

Stock may be
forfeited.

§ 5. The stock of said corporation shall be assignable and transferable on the books of the company, in person or by attorney only, and shall be considered as personal property; but no stockholder indebted to the company shall be permitted to make a transfer until such debt is paid or secured to the satisfaction of the president and directors; and if any stockholder, his or her assignee or transferee, shall refuse or neglect to pay any installment called for and demanded by the president and directors aforesaid, within sixty days after the time designated for the payment of such installments, such stockholder, his or her assignee or transferee, shall forfeit each and every share on which payment shall not be duly made, and new subscriptions may be opened for the shares so forfeited; and when the stock is taken, after paying the installment for which forfeited, the residue of the share or shares shall be secured by security or securities as aforesaid.

How stock
voted.

§ 6. In the election of president and directors, and for deciding all questions in general meetings of the stockholders, each and every stockholder shall be entitled to as many votes as he or she has shares; no stockholder shall vote at any election for president and directors, after the first election, unless the share or shares which he or she may represent shall have been standing in his or her name in the books of the corporation, for at least thirty days previous to the election.

May make in-
surances.

§ 7. The corporation hereby created shall have power to make insurance on lives by sea, on water, and on shore, and to contract for, grant, and sell annuities, and to make all kinds of contracts usually entered into by life insurance companies; and every such contract, bargain, agreement, and policy to be made by the said corporation, shall be in writing or in print, and, if approved by the medical examiners, shall be signed by the president, and attested and signed by the secretary or clerk who may be appointed for that purpose by the president and directors.

May invest
capital.

§ 8. It shall be lawful for said corporation to invest any part of its capital stock, or accumulated capital, in the stocks of this State; or it may be loaned on real estate mortgage, worth double the sum so loaned, for such periods of time, and under such restrictions and limitations, as the president and directors shall deem prudent and best for the interest of said corporation.

§ 9. It shall be the duty of the president and directors, on the first Monday in January and July, in each and every year, to make a dividend of so much of the profits of said corporation as to them shall appear advisable; and in case of any loss or losses, whereby the capital stock of the corporation shall be impaired or lessened, no subsequent dividend shall be made until a sum sufficient to meet such diminution, and arising from the profits of said corporation, have been added to the capital.

1865.

To make dividends.

§ 10. The president and three directors, or, in case of the absence of the president, four directors of said corporation, at a regular meeting, shall form a board, and be competent to transact all the business of the said corporation; and they shall have full power to make and prescribe such by-laws, rules, and regulations, as to them shall appear needful and proper, touching the management and disposition of the stock, property, estate, and effects; they shall also have power to appoint a secretary, and such other officers, for carrying on said business, as to them shall seem proper, and to establish and fix such salaries and allowances to them, and also to the president, as to the said board shall appear proper; and the said board, by its order, may vest in the medical examiners, the president, and secretary, power to make insurances, agreeable to this act, and for the same purpose may appoint agents and medical examiners, and the acts of such president and secretary and medical examiners shall be binding on the company, and obligatory to all intents and purposes.

Quorum.

May make by-laws.

Officers to be appointed.

Who may make insurances.

§ 11. The capital stock of said company may be increased at any general election, if the board of directors previously, by two thirds majority, submit the question to the stockholders; and said stockholders shall, by a like majority, decide to increase said stock; it may be increased to any sum, not exceeding five hundred thousand dollars; such increased capital shall be subscribed and paid in gold, or its equivalent, in real estate, or bonds of the State of Kentucky, or of the national government: *Provided*, nothing contained in this charter shall authorize the corporation to deal in real estate, or to own more land than is necessary for carrying on its business. The Legislature reserves the right to alter, amend, or repeal this charter.

Capital stock may be increased.

§ 12. This act shall take effect from its passage.

Approved March 4, 1865.

1865.

CHAPTER 1421.

AN ACT for the benefit of John S. Boyd, late Clerk of the Harrison Circuit Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That John S. Boyd, late clerk of the Harrison circuit court, be, and he is hereby, allowed the further time of two years, from and after the passage of this act, in which to list his fee bills for collection; and he may issue and distrain for said fee bills, subject to the laws now in force imposing penalties upon clerks issuing and collecting illegal fee bills.

§ 2. This act to be in force from its passage.

Approved March 4, 1865.

CHAPTER 1422.

AN ACT to incorporate the Independence and Big Bone Turnpike Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Lewis Collins, H. C. Hughes, N. H. Clarkson, Edward Northcutt, H. C. Larson, Owen Utz, and A. K. Gaines, and their associates and successors, he, and they are hereby, created a body-politic and corporate, under the name and style of the "Independence and Big Bone Turnpike Company," and by the said name and style shall have power to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places in this Commonwealth; and to have and use a common seal, and break, alter, or change the same at pleasure.

May construct turnpike road.

How funds raised.

§ 2. The said company is hereby authorized and empowered to construct a turnpike or macadamized road from Independence, in Kenton county, by way of Richwood church and the town of Beaver, in Boone county, to intersect the Union and Hamilton turnpike near the Big Bone Springs; and in order to secure the funds necessary to construct the same, shall have the power to raise a sum, by the issue and sale of the capital stock, not exceeding one hundred thousand dollars, to be divided into shares of fifty dollars each.

Books to be opened, when & where.

§ 3. That the books for the subscription of stock shall be opened in the towns of Independence and Beaver, and such other places as may be deemed best, under the direction of the persons hereinbefore named, all of whom are hereby made commissioners for the purpose of obtaining subscriptions to the capital stock of said company; and they shall provide a book or books, which shall contain the following obligation, to be signed by every person who shall

take stock in said corporation, viz: " We, whose names are hereto subscribed, do severally bind ourselves to pay respectively to the president and directors of the Independence and Big Bone turnpike company the sum of fifty dollars for each and every share of stock set opposite our names, in such manner and proportion, and at such times, as shall be required by the president and directors of said company;" and when the president and directors shall be chosen as hereinafter provided, they shall have full control of said books; and may cause the same to be opened from time to time, until the entire amount of stock herein authorized is subscribed.

1865.

Obligation of subscribers.

§ 4. That as soon as a majority of said commissioners shall be of the opinion that a sufficient amount of stock is subscribed to justify the commencement of said road, they shall call a meeting of the stockholders and hold an election for president and five directors, who shall hold their offices for one year and until their successors are chosen: *Provided*, That should a vacancy occur, the remaining directors shall fill the same by appointment, and should the offices of all the directors become vacant, any three stockholders may call a meeting to elect their successors. The directors shall have power to appoint a secretary and treasurer, and such other officers as may be deemed necessary; and the treasurer, before he enters on the discharge of his duties, shall execute a bond and security to the said company for the faithful performance of the duties of his office.

President and directors to be elected.

Vacancies.

Officers to be appointed.

§ 5. That the said corporation shall have the power to acquire, hold, or sell real and personal estate, as the same may be deemed necessary in the construction of said road, and to do all other acts and things necessary in the exercise of the powers herein expressly conferred.

May hold real estate.

§ 6. That the entire width of said road shall not exceed forty feet, and the macadamized part thereof shall not exceed twenty feet; and whenever five miles or more of said road shall be completed, the directors shall call upon the two justices of the peace residing nearest thereto, and not interested therein, to examine the same; and if they shall, by a written statement, to be filed with the county court of the county in which said five miles, or the greater part thereof, is situated, certify that the same is done in a good and substantial manner, then the said company may erect a toll-gate or gates on said road, and may charge and collect from the persons traveling on or using the same, for every five miles traveled or used, the following rates of toll, viz: For every twenty head of hogs or sheep, or other small stock, ten (10) cents; for each head of cattle, three (3) cents; for each horse, mule, or ass, led or driven, five cents; for each person on horseback, seven (7) cents; for each two-

Width of road.

When gates erected, & toll collected.

Rates of toll.

1865.

wheeled pleasure carriage, if drawn by one horse, fifteen (15) cents, and five cents for each additional horse attached thereto; for each four-wheeled pleasure carriage, if drawn by one horse, twenty (20) cents, and five cents for each additional horse attached thereto; for each cart with a burthen, fifteen (15) cents, and without a burthen, ten (10) cents; for each four wheeled-wagon or carriage of burthen, if drawn by one horse, twenty (20) cents, and five cents for each additional horse or animal attached thereto; and for each sleigh, if drawn by one horse (ten) cents, and five cents for each additional horse or animal attached thereto.

§ 7. That the provisions of the Revised Statutes regarding turnpike companies, and not inconsistent with the provisions of this act, shall be parts hereof.

§ 8. That this act shall be in force from and after its passage.

Approved March 4, 1865.

CHAPTER 1423.

AN ACT to amend an act, entitled "An act for the benefit of the Somerset Academy."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act, entitled "An act for the benefit of the Somerset Academy," be, and is hereby, so amended as to authorize the sale of the academy building alone; and for that purpose the county judge is hereby authorized and empowered to appoint a commissioner to sell said building, instead of the trustees, as provided in the act to which this is an amendment.

§ 2. This act to be in force from its passage.

Approved March 4, 1865.

CHAPTER 1425.

AN ACT for the benefit of Thomas A. Ireland, of Owen County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Thomas A. Ireland, of Owen county, be, and he is hereby, restored to the rights of citizenship so far as to enable him to prosecute or defend all actions at law or in equity, now pending in any of the courts of this Commonwealth, or which may be pending hereafter, and to which he is or may become a party, to the same extent he was

authorized to do before he entered the service of the army of the so-called Confederate States of America.

1865.

§ 2. That this act shall be in force from its passage.

Approved March 4, 1865.

CHAPTER 1428.

AN ACT for the benefit of Joseph McCarrol.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be lawful for Jos. McCarrol, sheriff of Christian county, during the present year, to collect all military fines and taxes collectable from citizens of Christian county for the year 1864, or any previous year, in the same manner and under the same restrictions as allowed by existing laws in regard to revenue tax.

§ 2. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1429.

AN ACT to amend the two acts concerning Bounty Funds to be raised by the city of Louisville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act, approved February 1st, 1865, entitled "An act to provide a bounty fund in the city of Louisville," and an act, approved February 7th, 1865, entitled "An act to enable the city of Louisville to issue bonds to provide a bounty fund," be, and the same are hereby, amended as follows, viz: The provisions of sections 10, 11, and 12 of article 6, of the charter of the city of Louisville, requiring certain ordinances to be submitted to a vote of the people, shall not be construed as applying to, and shall not apply to, the ordinances authorized to be passed by the two acts aforesaid.

§ 2. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1430.

AN ACT for the benefit of D. C. Forman, of Estill County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor be, and he is hereby, directed to draw his warrant on the Treasurer in favor of D. C.

1865.

Forman for the sum of fifty-five dollars and thirty cents (\$55 30.)

§ 2. This act to take effect from its passage.

Approved March 4, 1865.

CHAPTER 1431.

AN ACT for the benefit of George W. Reed, late Sheriff of Gallatin County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Geo. W. Reed, late sheriff of Gallatin county, be, and he is hereby, given the further time, until the third Monday in May next, to make out and return his delinquent list, in the collection of the public revenue and the county levy for the year 1864.

§ 2. The county judge of said county is hereby authorized to examine and order the said list of the public revenue to be certified to the Auditor of Public Accounts, at any regular term of his court. Said Auditor shall credit said sheriff for said list in his settlement for the year 1864.

§ 3. This act to take effect from its passage.

Approved March 4, 1865.

CHAPTER 1432.

AN ACT appropriating money to George W. Trabue.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby appropriated to George W. Trabue the sum of twenty-seven dollars and forty-five cents, to be drawn from the Treasury upon the warrant of the Auditor of Public Accounts.

§ 2. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1433.

AN ACT to repeal an act, entitled "An act to incorporate the Bethel Female High School," approved February 17, 1858.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act, entitled "An act to incorporate the Bethel Female High School," approved February 17th, 1858, be, and the same is hereby, repealed.

§ 2. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1434.

1865.

AN ACT to incorporate the First Universalists' Society, in the city of Louisville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That Jacob Merker, Columbus Chamberlain, T. G. Waters, Gad. Chapin, Geo. W. Doan, Thos. Aulsbrook, and Geo. A. Houghton, and their successors in office, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Trustees of the First Universalists' Society of the city of Louisville, Kentucky," and by that name to have perpetual succession, for the purpose of contracting and being contracted with, sue and being sued, plead and being impleaded, so far as may be necessary to protect and preserve the rights, titles, privileges, and property of said society, which now or hereafter may belong to said society; also to buy any lot or lots, and receive conveyances therefor, which may be necessary for the religious purposes of said society, and to erect such buildings thereon as may be necessary to the purposes aforesaid, but the value of such property and buildings not to exceed seventy-five thousand dollars; and such property shall be held by them and their successors for the religious purposes of said society forever.

§ 2. Should a vacancy occur in said board, by death, resignation, or removal from the city of Louisville, or by ceasing to be members of said society, such vacancy shall be filled by the society at any regular business of said society thereafter, due notice of such meeting, and the business thereof, having been first given to a majority of the members of said society.

§ 3. A majority of the trustees of said society shall constitute a quorum to do business, and they shall keep a record of their proceedings; they shall have power to adopt, and to alter or amend, by-laws and regulations for their own government and the government of the said society, and for the management and control of the secular concerns of said society: *Provided*, The same are not inconsistent with the laws and constitution of this State nor of the United States.

§ 4. This act to be in force from its passage.

Approved March 4, 1865.

1865.

CHAPTER 1435.

AN ACT to empower the Trustees of the First Universalists' Society of the city of Louisville, Kentucky, to sell the property of said Society, and reinvest the proceeds.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the trustees of the First Universalists' Society of the city of Louisville, Kentucky, a majority of them concurring, be, and they are hereby, empowered to sell and convey the property, real estate, of said society, situated on the south side of Market street, below Eighth street, in the city of Louisville, and being the same property conveyed to Gad Chapin, Wm. Perkins, and James Stewart for said society by Ed. S. and W. H. Stokes, by deed, dated August 5, 1843; and they shall have power to invest the proceeds of such sale in such United States, or other securities or bonds, as to them may seem fit, until such time as said society may direct them to reinvest its funds in a place for the exercise of its religious tenets.

§ 2. This act to be in force from its passage.

Approved March 4, 1865.

CHAPTER 1436.

AN ACT to amend an act, entitled "An act to incorporate the Edmonson and Butler County Coal, Oil, and Mining Company," approved February, 1865.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act, entitled "An act, approved February, 1865, to incorporate the Edmonson and Butler County Coal, Oil, and Mining Company," be so amended as to increase the capital stock of said company to three hundred thousand dollars.

§ 2. This act to take effect from its passage.

Approved March 4, 1865.

CHAPTER 1437.

AN ACT to incorporate the Estill Springs Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That John W. Douglass, Alexander McD. Lyon, Harry C. Rogers, William W. Lyon, and those who may become stockholders or associates with them, are hereby created a body-politic and corporate, under the name and style of the "Estill Springs Oil and Mining Company," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead

and be impleaded, in all courts and places ; have a common seal, and alter the same at pleasure ; may make all necessary by-laws and regulations for the government of said company, not inconsistent with the constitution and laws of the State of Kentucky or of the United States.

1865.

§ 2. Said company shall have power and authority to appoint any one or more of its members, or other person or persons, to manage, control, and direct the business of said company, according to the by-laws, rules, and regulations which may, from time to time, be adopted by said company for its government and the transaction of its business.

Who to manage affairs of corporation.

§ 3. The capital stock of said company shall be two hundred and fifty thousand dollars, to be divided into shares of fifty dollars each, which may be subscribed and paid for in such manner as may be prescribed by said company in its by-laws ; and said shares may be transferred in such manner as said company by its by-laws may direct.

Capital stock.

§ 4. That said company shall have power to keep a hotel, for the accommodation and entertainment of miners, manufacturers, or such other persons as they may choose to entertain, at the Estill springs, in the county of Estill, Kentucky ; they shall so have power to hold such estate in the State of Kentucky, by purchase, lease, or otherwise, as they may deem necessary and proper for carrying on said hotel ; also for the purposes of mining for coal, lead, copper, or other minerals, smelting of iron ore, the boring for oil, and refining and manufacturing the same, and the erection of all necessary machinery, barrel factories, and the conversion of timber into lumber, and the manufacture of minerals or mineral substances generally ; for transporting the coal, oil, ore, iron, and all other things to market ; with power to sell and convey all such products, materials, and estate and leases at pleasure ; to sub-let, divide, and plot any mineral territory owned or acquired by them ; and to the purposes aforesaid the business of said company shall be confined : *Provided, however,* That whatever may be necessary and expedient as incidental to said business is not excluded from the power of said company ; but no banking privilege is hereby granted to said company.

May keep a hotel.

May hold real estate.

Further powers.

§ 5. This act shall take effect from and after its passage.

Approved March 4, 1865.

1865.

CHAPTER 1439.

AN ACT to incorporate the Cave City Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. W. Edwards, Wm. Sampson, Samuel Jordan, and J. T. Boyle, their associates, successors, and assigns, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Cave City Petroleum Company," and by that name and style to have perpetual succession, with power of boring for oil and salt water, and refining or manufacturing the same; of mining for coal or other minerals, and manufacturing and preparing the same for market in such form as they may see proper; and said corporation, by their said corporate name, shall have power to sue or be sued, plead or be impleaded, in any of the courts of this State; to have a common seal, which may be altered at pleasure; to make all proper rules and by-laws for the regulation and government of the affairs of said corporation, not inconsistent with the constitution and laws of this State or of the United States; and generally to do and execute for the well-being of said company whatever shall lawfully pertain to such bodies-politic: *Provided*, That they shall have no banking privileges.

§ 2. That the capital stock of said company shall not exceed one million of dollars; said stock shall be divided into shares of fifty dollars each, and shall be deemed personal property, and the certificates thereof shall be assignable in such manner as may be prescribed by the by-laws of said corporation; and said company may be organized when one hundred shares are subscribed.

§ 3. The affairs of said company shall be controlled by a board of managers not less than three in number, to be elected by the stockholders, each share entitling the holder to one vote; and said board shall be elected annually, and one of them shall be elected as president of said board; they shall also choose a treasurer and secretary, and require of them bond, with good security, for the faithful discharge of their duties; and may also appoint such other agents, and employ such labor as may be deemed necessary by them, and to have the same powers conferred by law upon other similar companies.

§ 4. Said company shall have power to purchase or lease lands, and acquire, sell, or transfer the same, in the same manner that natural persons might do.

§ 5. This act shall take effect from its passage.

Approved March 4, 1865

CHAPTER 1440.

1865.

AN ACT for the benefit of School District No. 14, in Estill County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the act, entitled "An act for the benefit of certain common school districts," approved February 7th, 1865, be, and the same is hereby, made to apply to district No. 14, in Estill county, for a school taught in said district in the school year 1861.

Approved March 4, 1865.

CHAPTER 1441.

AN ACT to incorporate Freedonia Lodge, No. 247, of Ancient Free and Accepted Masons.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. D. Kirkpatrick, T. B. Johnson, F. L. Travis, and their associates, be, and they are hereby, created a body-corporate, by the name and style of "Freedonia Lodge, No. 247, of Ancient Free and Accepted Masons," and they, and their associates and successors, shall so continue and have perpetual succession, and by that name are made capable in law as natural persons to sue and be sued, to plead and be impleaded, to contract and be contracted with, answer and be answered, in all courts of law or equity in this Commonwealth; to make, have, and use a common seal, and the same to break, alter, or amend at pleasure; they may make and ordain by-laws and regulations for their government, and those now in force in said lodge to alter, or change, or renew at pleasure: *Provided*, That they be not inimical to the constitution and by-laws of the Grand Lodge of Ancient Free and Accepted Masons, nor in contravention of the constitution and laws of the United States or of this State. The said corporation shall have power to acquire and hold real and personal estate, not exceeding twenty thousand dollars in value; and from time to time, if deemed expedient, sell and convey the same, or any part thereof, and to reinvest the same at pleasure.

§ 2. The right to alter, amend, or repeal this act is hereby reserved to the General Assembly.

§ 3. This act to take effect from its passage.

Approved March 4, 1865.

1865.

CHAPTER 1442.

AN ACT to incorporate the Ivy Creek and Green River Coal and Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That W. J. Hendrick, P. Haffa, George Wright, F. S. Haffa, their associates, successors, and assigns. be, and they are hereby, constituted a body corporate and politic, under the name and style of the "Ivy Creek and Green River Coal and Oil Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to implicate and be implicated, in this Commonwealth and elsewhere, in all the courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

Capital stock.

§ 2. The capital stock of said company shall be two hundred and fifty thousand dollars, with the privilege of increasing the same to five hundred thousand dollars, to be divided into shares of two dollars and fifty cents each; said company may, however, commence operations as soon as twenty thousand dollars of said capital stock is subscribed and fifteen thousand dollars thereof be paid in; the remaining portion of said capital stock may be issued and sold by the board of directors at such times as may seem to them best.

May hold real estate.

Business of corporation.

§ 3. Said company shall have the power to negotiate for, purchase, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to employ, bore, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same, and other products of lands now owned by them, or which may hereafter be owned by them; to purchase, build, and own boats, and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights and rights of way as they may deem necessary for the successful prosecution of their business, and the same, or any part thereof, to sell or otherwise dispose of, as the interest of said company may require.

Board of directors, president, &c.

Term of office.

Officers to be appointed.

§ 4. For conducting the affairs of said company a board of five or seven directors shall be chosen; said board shall choose one of its number, who shall be the president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The board of directors shall have power to appoint all officers and agents under them, and remove them at pleasure. In

all elections each share shall entitle the holder to one vote ;
and stockholders may vote by proxy.

1865.

§ 5. Stock of said company shall be deemed personal estate.

Stock personal estate.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure : *Provided, however,* That the stock of said company shall at no time exceed the maximum amount herein named.

May open books.

§ 7. That it shall be lawful for the president and directors, from time to time, and at all times, to borrow or obtain on loan such sums of money, and on such terms, as they may deem expedient for the use of said company ; and to pledge or mortgage all or any part of improvements, estate, privileges, and effects of said company for said repayment of said sums of money so borrowed, at such times as may be agreed upon.

May borrow money.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholders may be forfeited by the president and directors, or if they so elect, may sue for and recover the same.

Stock may be forfeited.

§ 9. Said company shall have, possess, and enjoy all rights, power, and privileges conferred by law in this State on any other corporation chartered for similar purposes.

§ 10. This act to take effect from its passage.

Approved March 4, 1865.

CHAPTER 1443.

AN ACT to amend the charter of the Williamsburg, Cumberland River, and Tennessee Railroad Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the further time of five years, from and after the passage of this act, be, and is hereby, given the Williamsburg, Cumberland River, and Tennessee railroad company to organize and commence work under their charter granted by the act of General Assembly, approved March 10th, 1856.

§ 2. This act shall be in force from its passage.

Approved March 4, 1865.

CHAPTER 1444.

AN ACT amending an act, entitled " An act to amend the charter of the City of Louisville," passed February, 1865.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the eighth section of the act to amend the charter of the city of Louisville, passed the present ses-

1866.

sion, is amended by striking out the numbers nine and ten named in said eighth section, and insert in place thereof numbers six and seven.

§ 2. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1445.

AN ACT to incorporate the Philadelphia and Cumberland Gap Valley Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Benjamin Grant, James H. Embry, William B. Dodge, Jehiel Towner, H. S. Stearns, Richardson Hern-don, and P. G. Finn, are created a corporation or body-politic, able, and by their common consent, to grant or receive in law anything within the compass of their chartered privileges, and to be denominated the "Philadelphia and Cumberland Gap Valley Oil and Mining Company," with the privileges of boring petroleum wells, mining for coal, iron, and other minerals anywhere within the State wherever the body-politic shall acquire title to oil fields, coal, iron, or other mines, either by purchase, grant, or lease; they and their associates and successors shall continue and have succession for an indefinite period, and by their name and style are hereby made as capable in law as individual citizens to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to make, have, and use a common seal; also the power to purchase or lease and own real estate suitable for the production of petroleum and for mining coal, iron, or other minerals; also to erect warehouses and machinery necessary for procuring petroleum, coal, iron, and other minerals; also, after the company shall be organized, the power to ordain and establish such by-laws, ordinances, and regulations as shall be necessary for the well-being and government of said corporation, not contrary to the laws of this State or the United States.

Capital stock.

§ 2. That the capital stock of this company be one million dollars, divided into forty thousand shares at twenty-five dollars per share.

May sell stock.

§ 3. That the president and board of directors shall have the power to authorize any of its officers or any stockholder, for the mutual benefit of its members, to sell stock to companies or individuals in the United States or Europe; the proportion of stock so disposed of to be determined by the president and directors.

§ 4. The officers of the company shall consist of a president, vice president, secretary, and treasurer; also five directors, and shall hold their offices for one year, and at the expiration of each year an election for said officer shall be held, and each and every stockholder to have timely notice of the time and place where such election will be held; and each stockholder shall be entitled to one vote for each share of stock which such stockholder shall own. Any stockholder not present at any meeting or election may vote by proxy, such proxy being a stockholder present at such meeting or election, and presenting his authority in writing from his principal.

1865.

Officers of corporation.

How stock voted.

§ 5. That at every annual meeting of the stockholders it shall be the duty of the secretary to report in writing the financial condition of the company, its acts and doings, and at all times to have his books ready for inspection by the board of directors, and when ordered by the board of directors declare dividends, and draw warrants upon the treasurer for the same, taking the stockholder's receipt for all amounts thus paid.

Secretary to report at annual meetings.

§ 6. That dividends may be declared either monthly or quarterly, as the board may from time to time direct.

Dividends may be declared.

§ 7. This act to take effect from its passage.

Approved March 4, 1865.

CHAPTER 1446.

AN ACT to incorporate the Benevolent and Social Union Society, of Louisville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky,

§ 1. That Charles Feibelman, Jacob Harris, S. Guttenbag, Philip Harris, William Wolff, S. Goldstein, Harris Brown, and their successors, be, and they are hereby, constituted a body-politic and corporate, by the name and style of "The Benevolent and Social Union Society, of Louisville," for the laudable purpose of mutual improvement, and of succoring the needy, the widow, and orphan.

§ 2. That said body-politic and corporate may have a common seal, and shall have power to contract and be contracted with, to sue and be sued, to plead and be impleaded; and to receive, hold, and convey property, real and personal, the annual value whereof shall not exceed ten thousand dollars.

§ 3. The said body-politic and corporate shall have power and authority to frame a constitution and by-laws for its government, not conflicting with the constitution and laws of this State and of the United States.

1865.

§ 4. The General Assembly reserves to itself the right at all times to amend, alter, or repeal this act.

Approved March 4, 1865.

CHAPTER 1448.

AN ACT for the benefit of the Owenton and Ross Mill Turnpike Road Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the president and directors of the Owenton and Ross Mill turnpike road company be, and they are hereby, authorized and empowered to increase the rates of toll on said road thirty-three and one third per cent. upon the rates of toll on said road as now provided for by law.

§ 2. This act shall be in force from its passage.

Approved March 4, 1865.

CHAPTER 1449.

AN ACT to amend the laws in relation to the city of Frankfort.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the laws in relation to the city of Frankfort be so amended as that the jail house of the county of Franklin may be used by the city of Frankfort and the authorities thereof as a city watch-house for the city of Frankfort; and the jailer of Franklin county is authorized to receive into said jail any persons therein committed, upon any mittimus issued by the police judge of Frankfort, upon any ordinance passed by the council of said city.

§ 2. That the jailer of said county is authorized to receive into said jail all persons arrested by any peace officer of said city, between the hours of 10 o'clock, P. M., and 6 o'clock, A. M., without any mittimus from said police judge; but every person thus arrested shall be carried before said police judge for trial, or for examination of the charge against him, at the earliest practicable hour after said arrest.

§ 3. This act shall take effect from its passage.

Approved March 4, 1865.

CHAPTER 1451.

1865.

AN ACT to incorporate the J. Crockett Sayers Oil and Mineral Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That Orange Noble, J. P. Vincent, R. H. Henry, W. L. Cleaveland, J. W. Hammond, F. Gray, F. F. Farrior, R. W. Emerson, John Richards, and A. T. Marsh, and their associates and successors, are hereby created a body-politic and corporate, by the name and style of "The J. Crockett Sayers Oil and Mineral Company;" and by that name said incorporation shall have power to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places as a natural person forever; and to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this State and of the United States.

Corporators' names, and corporate powers.

§ 2. The said company shall have power to purchase, lease, acquire, and hold such real estate, in the State of Kentucky and elsewhere, by leases, in fee simple, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and in any other manner search for oil, coal, salt, iron, and any other mineral products and deposits in the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market any or all of said mineral products, oil, or deposits aforesaid, and to transport or sell the same in or out of this State; to buy, erect, or construct all buildings, machinery, tools, fixtures, and personal property deemed necessary or proper in carrying on said business or any part thereof; to sell, convey, transfer, or assign all or any part or interest in said estate, real or personal, corporeal or incorporeal, and to exercise any necessary or proper powers to carry out the expressed powers herein granted; said company may hold its main office within or out of this State, as the board of directors may decide is best for the interest of the company; said company shall not have nor exercise any banking powers, but it may borrow money upon such bonds or other evidences of debt as the board of directors may direct to be executed, in such sums, and at such times, and in such places, and at such rate of interest, not exceeding ten per centum per annum, as the board of directors may deem advisable; and they may execute mortgages upon any or all the property of the company to secure the payment of such debts, from time to time, as may be created.

May hold real estate.

Further powers of corporation.

1865.

Capital stock.

First board
of directors.May open
books.When may
commence
operations.President and
other officers to
be appointed.

§ 3. The capital stock of said company shall not exceed four millions of dollars, to be divided into shares of fifty dollars each; which shares shall be personal property, and shall be indorsed and transferred as prescribed by the by-laws of the company. The board of directors may fix the capital stock first at a less sum than four millions of dollars, and increase the same, from time to time, as they may deem expedient, but not above said sum. The said persons named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment, and the time, manner, and grounds of forfeiture of stock subscribed for and not paid in as required by call; and when not less than fifty thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business; and the board, or a majority thereof, shall organize by electing one of their number to be president of the company; and the president and directors shall have power to appoint a secretary, treasurer, and such other inferior officers as the company, from time to time, may require, fix their salaries and prescribe their duties, as well as those of the president, and the time such inferior officers shall hold their respective positions, and may require and take from all officers such bonds as may be necessary to secure a faithful discharge of their duties, and may remove such inferior officers at pleasure.

Annual elec-
tions.

Vacancies.

§ 4. The president and directors shall provide by the by-laws for the annual election, by the stockholders, of a board of directors of not less than five nor more than nine, who, when elected in each year, shall choose one of their number as president as aforesaid, and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may by the provisions of the by-laws constitute a quorum for business, may from time to time fill vacancies in the board occurring between annual elections, as shall be provided in their by-laws.

How stock
voted.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings for any purpose, and must be voted by the holder in person or by virtue of a written proxy, signed by the holder; and no person shall be voted for or hold the office of director who does not at the time, in good faith, own in his own exclusive right at least five shares of the capital stock of said company, paid up in full.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary agents, employes, and operatives for said company.

§ 7. The said company may from time to time, as it may deem proper, make, declare, and pay dividends or profits, and distribute its net receipts and proceeds of sales among the stockholders, pro rata, according to the amount of stock held by each.

§ 8. This act shall be in force from and after its passage.

Approved March 4, 1865.

1865.

May employ agents.

May declare dividends.

CHAPTER 1452.

AN ACT to repeal an act, entitled "An act to raise a bounty fund for Bracken and other counties," so far as the same relates to Bracken county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That so much of an act, entitled "An act to provide a bounty fund for Bracken and other counties," approved February 14, 1865, be, and the same is hereby, repealed, so far as the same is applicable to the county of Bracken.

§ 2. This act to take effect from its passage.

Approved March 4, 1865.

CHAPTER 1453.

AN ACT to incorporate the New York and Kentucky Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Louis P. Griffith, Maximilian Rader, David Watts, Edward M. Crawford, Charles F. Tagg, Henry F. Thierman, M. H. Levine, Louis B. Rader, and Frederick L. Joanrahrs, are hereby created a body-corporate, with power to contract and bind themselves as a corporation only, and to receive, grant, and do anything as a body-corporate within the compass of their corporate privileges, to be denominated the "New York and Kentucky Petroleum and Mining Company," with privilege and for the purpose of digging, boring, and mining and trading for and in petroleum, oil, salt, coal, and all other ores, minerals, and gases, on any lands in Kentucky owned by said company, or to which they may become entitled by gift, grant, sale, purchase, deed, lease, or otherwise; together with all the privileges necessary for working, manufacturing, and preparing the same for use or market, in any and all the various forms or states in which the company may desire the same for use or market; and also the privilege of selling or leasing

1865.

out said lands, or any part thereof; together with the privilege of trading in and upon all minerals and mineral products at home and abroad; and also the privilege of buying and selling, constructing and erecting, all machinery, buildings, roads, passways, railroads and canals, and any and all other useful structures, for the purposes of facilitating said business, and for developing and manufacturing the minerals and mineral resources of the country, and of getting said minerals to market; said roads, passways, &c., to be opened according to the laws of Kentucky, from time to time, in regard to opening county roads and passways; also the power to contract and borrow money on the credit and for the use of said corporation, not exceeding one third the estimated value of the realty to be hypothecated, at a rate of interest to be contracted for, not exceeding eight per cent. per annum; and all the contracts made by said corporation as such shall be binding on the company only in their corporate capacity; said company and their successors, as a body-corporate, may exist for an indefinite period, with their chartered privileges not to be impaired in less than twenty years; and by their corporate name, and under their common seal, which they are permitted to have and use, they may contract and be contracted with, and in said name sue and be sued, plead and be impleaded; and after they organize they may make such by-laws and regulations as are necessary for the interest and government of the corporation, not inconsistent with the laws of Kentucky or of the United States.

§ 2. The capital stock of said company to be one million of dollars, to be divided into shares of such denomination as the board may determine; and a president and directors, or a majority of them, may constitute a board and quorum for doing business.

§ 3. The board shall have the power of selling stock in said company, and may constitute any officer or stockholder of said company an agent, with the power of selling said stock to any parties in Europe or America, in such proportions as may be directed by the board; said board shall also have the power to determine the proportion of stock to be issued to each member of said company, and said member to be responsible only in proportion to the stock owned by him.

§ 4. Soon as practicable, the persons herein named, or a majority of them, shall hold a meeting in New York city, or in ———, for the purpose of organization by the election of officers, who shall hold their offices one year, and until their successors shall be duly elected and qualified, and at the end of each year an election of officers shall be held, to hold their office for the term of one year, and until their successors shall be duly elected and qualified; but

thirty days' notice of the time and place of said elections, by publication in same newspaper published in the city of New York, shall always be given to the stockholders of said company, and each stockholder to have one vote for each share of stock owned by him; said vote may be given by proxy, provided such proxy be a stockholder himself, and exhibiting his written authority to cast the vote.

1865.

§ 5. At all annual meetings held for the purposes of election, &c., said board shall require a full and complete report of all the acts of said company, and the financial condition thereof, to be published in detail, and made public for the benefit of the stockholders; and the books of said company shall at all times be subject to inspection by the board; and at said meetings dividends shall be declared by the board, and paid by the treasurer, in conformity with the report of dividends produced; and said board may declare dividends as much oftener as they may determine, which, when declared, shall at all times be due to the stockholders, upon production of their certificate of stock at the office of the treasurer, in the city of New York, or _____, where same shall be kept.

§ 6. The treasurer may, at any time, deposit money belonging to the corporation in any good and solvent bank, in the city of New York, at the risk of the corporation.

§ 7. The board shall have the power to fill all vacancies that may occur in the board previous to the regular election, for the unexpired term of such member.

§ 8. That no banking privilege is granted by this act.

§ 9. This act to take effect from its passage.

Approved March 4, 1865.

CHAPTER 1454.

AN ACT to incorporate the Main Hardwick Creek, Kentucky, Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

§ 1. That James H. Embry, Benjamin Grant, H. S. Stearns, W. B. Dodge, J. Towner, P. G. Finn, and S. M. Barnes, are created a corporation or body-politic, able, and by their common consent, to grant or receive in law anything within the compass of their chartered privileges, and to be denominated the Main Hardwick Creek, Kentucky, Oil and Mining Company, with the privileges of boring petroleum wells, mining for coal, iron, and other minerals, anywhere within the State, wherever the body-politic shall acquire title to oil fields, coal, iron, or other mines, either by purchase, grant, or lease; they and their asso-

Corporators' names, and corporate powers.

1865.

ciates and successors shall continue and have succession for an indefinite period; and by their name and style are hereby made as capable in law as individual citizens to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to make, have, and use a common seal; also, the power to purchase or lease and own real estate suitable for the production of petroleum, and for mining coal, iron, or other minerals; also, to erect warehouses and machinery necessary for procuring petroleum, coal, iron, and other minerals; also, after the company shall be organized, the power to ordain and establish such by-laws, ordinances, and regulations as shall be necessary for the well-being and government of said corporation, not contrary to the laws of this State or the United States.

Capital stock. § 2. That the capital stock of this company be one million dollars, divided into forty thousand shares at twenty-five dollars per share.

May sell stock. § 3. That the president and board of directors shall have the power to authorize any of its officers or any stockholder, for the mutual benefit of its members, to sell stock to companies or individuals in the United States or in Europe; the proportion of stock so disposed of to be determined by the president and directors.

Officers of the corporation. § 4. The officers of the company shall consist of a president, vice-president, secretary, treasurer, also five directors, and shall hold their offices for one year; and at the expiration of each year an election for said officers to be held, and each and every stockholder to have timely notice of the time and place where such election will be held; and each stockholder shall be entitled to one vote for each share of stock which such stockholder shall own; any stockholder not present at any meeting or election may vote by proxy, such proxy being a stockholder attending such meeting or election, and presenting his authority in writing from his principal.

Secretary to make annual report. § 5. That at every annual meeting of the stockholders it shall be the duty of the secretary to report in writing the financial condition of the company, its acts and doings, and at all times to have his books ready for inspection by the board of directors, and when ordered by the board of directors declare dividends, and draw warrants upon the treasurer for the same, taking the stockholders' receipt for all amounts thus paid.

§ 6. That dividends may be declared either monthly or quarterly, as the board may, from time to time, direct.

§ 7. This act to take effect from its passage.

Approved March 4, 1865.

CHAPTER 1457.

1865.

AN ACT to charter the Savings Bank of Louisville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That a bank is hereby established in the city of Louisville, to be called the Savings Bank of Louisville, and by that name shall have all the rights and privileges of a natural person in suing and being sued, answering and defending, in all courts of law and equity.

Name and style

§ 2. That Jonas H. Rhorer, James W. Henning, James Guthrie, Joshua F. Speed, and Milton M. Rhorer are hereby appointed commissioners, and any three or more of them may, at such time and place as suits their convenience, open books for the subscription of stock, which shall be in shares of one hundred dollars; and when one thousand shares shall have been subscribed, and not less than twenty-five dollars per share paid thereon in cash, the stockholders may meet and elect five directors, who shall serve one year and until their successors are elected. The directors may elect a president from their number.

Commissioners to open books.

When directors to be elected.

President.

§ 3. The president and directors may adopt a seal, and alter it at pleasure; and appoint all necessary officers to conduct the business of said bank. They shall have a lien on the stock for debts due them from stockholders before other creditors, except the State and taxes to the State; and they may receive their own stock at the market value in payment of any debt due the bank.

May adopt seal, &c.

§ 4. This corporation shall have all the ordinary rights and privileges of the other chartered banks of the State, except that they shall not issue paper as a circulating medium.

Privileges of corporation.

§ 5. The bank may receive money and other valuable things on deposit, and loan out the same; deal in gold, silver, bullion, foreign and domestic exchange; loan its funds on mortgage and pledges of collateral security, and dispose of the latter as may be agreed on by the borrower and the bank: *Provided, expressly,* That no higher rate of interest or exchange on loans or discount than are now allowed by the general laws of this Commonwealth, shall be charged or received by the bank.

Deposits and business.

§ 6. The bank may receive deposits from minors and married women, or in their names, and the receipts and acquittances of such minors and married women shall be valid; and may hold all necessary real estate for the convenience of their business, or acquired in liquidation of any debts owing to the bank.

May receive deposits from minors, married women, &c.

§ 7. That the president shall, on or before the first day of July of each and every year, pay into the Treasury of the State a tax of fifty cents upon each one hundred dol-

State tax to be paid.

1865.

lars' worth of stock invested and paid up in full, and the same shall be in lieu of all other taxation.

§ 8. The General Assembly reserves the right to repeal, alter, or modify at pleasure this act,

§ 9. This act to take effect from its passage.

Approved May 20, 1865

CHAPTER 1458.

AN ACT to charter the Hope Woolen Mills Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That David H. Davies, J. Smith Speed, Thomas P. Hughes, George C. Hunter, and L. T. Thustin, be, and they are hereby, constituted and created a body-politic and corporate, by the name and style of "The Hope Woolen Mills Company;" by that name shall have perpetual succession for the purpose of manufacturing woolen goods, and dealing generally in wool and fabrics made of wool and cotton, or both combined; and to that end may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; may make all necessary by-laws and regulations for the government of said company, not inconsistent with the laws of Kentucky or the United States.

When to or-
ganize, & how.

§ 2. That a majority of said corporators shall have power to organize said company at such time and place as they may select, by receiving subscriptions to the capital stock of said company, and by the appointment of a president and such other officers as they may deem necessary to conduct successfully the business of the corporation; the officers thus appointed shall continue in office until their successors shall be duly appointed in the manner prescribed by the by-laws of the company.

Capital stock.

§ 3. The capital stock of said company shall be one hundred and fifty thousand dollars (and may be increased to three hundred thousand dollars whenever stockholders representing a majority of the stock desire to make such increase), to be divided into shares of one hundred dollars each, which may be subscribed and paid for in such manner as may be prescribed by said company in its by-laws; said shares shall be taken and be deemed to be personal property, and may be transferred in such manner as the company by its by-laws may direct.

May hold real
estate.

§ 4. Said company may purchase or lease such real estate, buildings, machinery, and personal property, either in or out of this State, as it may deem necessary, from time to time, in the prosecution of its business, and may

sell and convey the same at pleasure according to its by-laws.

1865.

§ 5. No stockholder shall be liable in his individual property for any contracts or agreements of said company; but the whole of the subscribed capital stock of the company, with all properties, rights, and credits thereto belonging, and nothing more, shall at all times be answerable for all lawful demands against the company.

Liability of
stockholders.

§ 6. This act shall take effect from its passage.

Approved May 20, 1865.

CHAPTER 1459.

AN ACT for the benefit of Klara Dinkelspiel.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Klara Dinkelspiel, of the city of Louisville, be, and she is hereby, relieved of all disabilities of coverture in regard to any property she may hereafter acquire by her own earnings, and all contracts she may hereafter make; property acquired by her own earnings after the passage of this act shall in nowise be subjected to the payment of the debts of her husband, Samuel Dinkelspiel, now owing, or hereafter to be contracted by him. Any property she may acquire may be subjected to the payment of debts contracted by her; and for this purpose she may be sued as a *feme sole*.

§ 2. This act shall take effect upon its passage; but the General Assembly reserves the right to repeal this act at pleasure.

Approved May 20, 1865.

CHAPTER 1460.

AN ACT to amend an act, entitled "An act to incorporate the Ohio River Transportation Company."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the words "Ohio River Transportation Company," where they appear in said act, be stricken out, and the words "Western Transportation Company" inserted; and hereafter the name and style of the company incorporated by the act to which this is an amendment, shall be "The Western Transportation Company."

§ 2. That section second of said act be so amended as to authorize the division of the capital stock into shares of one hundred dollars each.

§ 3. That this act shall take effect from its passage.

Approved May 20, 1865.

1865.

CHAPTER 1461.

AN ACT to incorporate the Louisville Furniture Manufacturing Company.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky :*Name & style.
Capital stock.Corporate
powers.

§ 1. That there shall be, and hereby is, established in the city of Louisville a corporation by the name of the "Louisville Furniture Manufacturing Company," with a capital stock of one hundred and fifty thousand dollars, to be divided into shares of one hundred dollars each, and subscribed and paid for by individuals, companies, or corporations, in the manner hereinafter mentioned and specified; and said corporation, by the name aforesaid, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and defend, in all courts and places, and in all matters whatsoever, as natural persons may do; with full power to acquire, hold, use, and enjoy, and the same to sell, convey, and dispose of, all such real estate, chattels, goods, and effects, as may be necessary or convenient for the transaction of its business, or which may be acquired as security for or in payment of a debt or demand; and may have and use a common seal, and alter, change, or renew the same at pleasure; and may make and establish all necessary by-laws for the efficient management of its affairs and conduct of its business.

Business of
corporation.

§ 2. The business of said corporation shall be the manufacturing of furniture, in any and all the departments thereof in which it may choose to embark, and to buy and sell, in or out of this State, stock, material, and manufactured articles deemed necessary to the successful carrying on of the said business.

Commissioners
to open books.

§ 3. That William H. Walker, Samuel Wharton, Jacob L. Smyser, James W. Stokes, and A. F. Caldeway, be, and they are hereby, appointed commissioners, whose duty it shall be to open books for the subscription of stock in said corporation, at such time and at such place in the city of Louisville as they, or any three of them, may deem expedient, they having first given notice thereof of not less than three days, by publication in some daily newspaper published in said city; and when not less than one hundred thousand dollars of said capital stock shall have been subscribed for, and such per cent. thereof paid in as may be required by the terms of subscription, to be fixed by said commissioners, or any three of them, then said commissioners, or any three of them, may, by publication of not less than five days in any daily newspaper of said city, call a meeting of the stockholders for the election of five directors, who, when elected, shall complete the organization of the corporation by electing one of their number president, and also by electing such other officers

Directors to be
elected.President and
other officers to
be elected.

as they may deem necessary for the efficient carrying on of the said business; after such organization the said board of directors shall have control of the business and affairs of the corporation, and may keep the books open for the further subscriptions to stock until the whole is subscribed.

1865.

Control of corporation.

§ 4. That after the first election the stockholders shall annually, on the first day of July in each year, elect the same number of five directors, who shall hold their office for one year and until their successors are duly elected; and each board, when elected, shall appoint one of their number president of the board, and such other officers as may be provided for by resolution or by-laws.

Annual elections.

§ 5. And after the stock herein provided for is taken and the company organized, a majority of stockholders in interest may at any regular or called meeting increase the capital stock of said corporation to five hundred thousand dollars, and cause books to be opened for subscriptions to the same.

May increase capital stock.

§ 6. At all stockholders' meetings each stockholder shall be entitled to cast one vote for every share of stock held by him, and votes may be cast by proxy upon written authority of the stockholder, signed by him.

How stock voted.

§ 7. This act to take effect from and after its passage.

Approved May 20, 1865.

CHAPTER 1463.

AN ACT to incorporate the Bank of Hopkinsville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established a saving and deposit bank in the town of Hopkinsville, Kentucky, with a capital of one hundred thousand dollars, in shares of one hundred dollars each, to be subscribed and paid for as hereinafter specified; and the subscribers, their associates, successors, and assigns, shall be a body-politic and corporate, by the name and style of the "Bank of Hopkinsville," and shall so continue for twenty-five years from its organization; and shall have all the rights and privileges of a natural person in contracting and being contracted with, in suing and being sued, and of impleading, answering, and defending, in all courts and places whatever; said bank may have and use a common seal, and change the same at pleasure.

Capital stock.

Corporate powers, name and style, &c.

§ 2. Said bank shall be under the control and management of five directors, who shall be stockholders residing in this State, each of whom shall own in his own right and name at least twenty-five shares of stock, and, after

Directors to manage.

1865.	the first annual election, shall have owned the same at least six months before his election ; they shall hold their office until their successors are elected and qualified, and, after the first election, shall be elected the second Monday in July in each year, or as soon thereafter as is practically convenient ; and in case of a vacancy, the remaining directors shall have power to appoint a qualified stockholder to fill it ; they shall elect one of their number president, who shall preside at their meetings, and perform such other duties as may be assigned him by this charter and their by-laws ; they shall have power to sell any of the stock remaining unsold, to declare dividends of the profits arising out of the business of the bank ; to appoint such officers, agents, and employes as they may deem necessary to conduct the business of the bank, and pay them for their services ; to take from the president, cashier, and other employes such bond as they may deem proper and reasonable to secure a faithful performance of their respective duties ; and to make such by-laws as they may deem necessary for the proper management of the affairs of the bank, provided the same be not contrary to the constitution and laws of this State and of the United States.
Term of office.	
Vacancies.	
President.	
Powers of corporation.	
Stock personal estate.	The stock shall be deemed personal property, and shall be transferable only on the books of the bank by the stockholder or his attorney, under such rules and regulations as the directors shall from time to time establish ; but the corporation shall have a lien on the stock to secure any indebtedness to the bank by the stockholder.
Commissioners to open books.	§ 3. That John C. Latham, R. T. Petree, John W. Wallace, John P. Campbell, jr., Robert S. McReynolds, B. H. Bristow, and James A. Wallace, are hereby appointed commissioners, any three of whom, after giving notice to the others, may open books in the town of Hopkinsville and receive subscriptions for the capital stock of said bank ; and when one half or more of said stock shall have been subscribed for, it shall be their duty to give notice to the stockholders and appoint a day for the election of a board of directors, who shall hold their office until the ensuing annual election ; the payment for the shares subscribed for shall be as follows, viz : five dollars on each share at the time of subscribing, and twenty dollars within twenty days after the election of the first board of directors, and the remainder in such amounts, and at such times, as the directors may require : <i>Provided</i> , That no one call shall be for a larger amount than twenty dollars per share, and at a shorter notice than twenty days ; and furthermore, that nothing contained herein shall be construed so as to prevent any stockholder from making payments on his stock in advance of the calls made by the directors ; said corporation may commence business so soon as ten thousand dollars shall have been paid in as capital.
Election of directors to be held.	
Calls on stock.	
When to commence operations.	

§ 4. Said bank may receive deposits of gold and silver coin, bank notes, and other notes which may be lawfully circulating as money, and repay the same in such manner, at such times, and with such rate of interest, as may be agreed upon with the depositors, by special or general contract; may deal in the loaning of money; may buy and sell bills of exchange, promissory notes, uncurrent money, stocks, bonds, mortgages, and other evidences of debt; take personal and other securities for the payment of the same, and dispose of the latter as may be agreed upon between the parties, and pass a valid title to the same; all promissory notes and inland bills of exchange which may be discounted and owned by said bank shall be, and are hereby, put upon the same footing of foreign bills of exchange, and like remedy may be had thereon, jointly and severally, against the drawers and indorsers.

1865.

May receive deposits.

Business of corporation.

§ 5. Said bank may receive deposits from minors and married women; and the receipts and acquittances of such minors and married women shall be valid.

May receive deposits from married women & minors.

§ 6. Said bank may acquire, hold, and use all such real estate, goods and chattels, as may be necessary and convenient for the transaction of its business, or which may be conveyed to it as surety for any debt, or purchased in satisfaction of any debt, judgment, or decree, and sell and convey the same; and may buy its own stock in payment of a debt, judgment, or decree; but shall resell the same as soon as it is practically convenient.

May acquire real estate.

§ 7. No greater dividend than ten per centum per annum shall be paid to the stockholders, unless the surplus fund remaining on hand shall be equal to one fifth of the capital paid in.

Dividends.

§ 8. No loan or discount shall be made to any stockholder to pay any call or balance due on his stock.

Loans to stockholders.

§ 9. Every stockholder shall be individually liable to the creditors of the bank to the full amount of stock subscribed for and owned by him; but when the same shall have been paid for in full, then no further individual liability attaches to said stockholder.

Liability of stockholders.

§ 10. It shall be the duty of the president, on the first Monday in July in each year, to pay into the Treasury of the State fifty cents on each one hundred dollars of stock held and paid for in said bank, which shall be in full of all tax or bonds to the State, and shall form a part of the Sinking Fund of this Commonwealth.

State tax.

§ 11. It shall not be lawful for said bank to issue any note or bill to circulate as money.

Not to issue notes to circulate as money.

§ 12. If the president, cashier, teller, clerks, or other officers, shall appropriate any of the funds of said corporation to his own use, or shall willfully fail to make correct entries, or knowingly make false ones on the books of

Penalty on officers for misconduct.

1865.

the bank, with intent to cheat or defraud the bank or any person, or to conceal any improper appropriation of funds, the person or persons so offending shall be deemed guilty of felony, and, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of this Commonwealth for a period of not less than two nor more than twenty years.

President, &c.,
to take oath.

13. The president, directors, and other officers of this bank, previous to entering on the discharge of their duties, shall take an oath before some justice of the peace of this State faithfully, honestly, and to the best of their skill and judgment, to discharge all the duties of their respective offices and stations under this charter, or which may be required of them by the by-laws, rules, and regulations of the corporation, and that they will not, during their continuance in office, sanction or permit any of the provisions of this charter to be violated; and should any occur without their concurrence, that they will immediately report the same to the Attorney-General of this Commonwealth.

§ 14. The General Assembly reserves the right to repeal or amend this act at pleasure.

§ 15. This act to take effect from its passage.

Approved May 22, 1865.

CHAPTER 1464.

AN ACT to amend the charter of the Madison Female School.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the act incorporating the Madison Female School, adopted 26th of January, 1858, be, and is hereby, so amended as to authorize the trustees of the said corporation to borrow money to an amount not exceeding ten thousand dollars, at the legal rate of interest, and mortgage its lands and other property to secure the payment of indebtedness that may be thus created.

§ 2. That the name and style of the said corporation shall be changed, and hereafter known as the "Madison Female Institute."

§ 3. That this act shall be in force from its passage.

Approved May 20, 1865.

CHAPTER 1465.

1865.

AN ACT to incorporate the St. John's Episcopal Church, Louisville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That Rev. J. J. Talbot, William Sinton, Dr. Anderson, R. L. Post, S. A. Miller, J. J. Hare, Frank S. Bakewell, David L. Miller, Thomas P. Cosby, and A. Gunter, and their successors in office, be incorporated by the name of "St. John's Episcopal Church, Louisville;" and by that name shall have perpetual succession; may sue and be sued, plead and be impleaded; may purchase, receive, and otherwise acquire and hold property, real, personal, and mixed, and may sell, lease, or otherwise dispose of the same; may have a corporate seal, and change the same at pleasure; and may make contracts and pass by-laws, not inconsistent with the laws of the land.

§ 2. That the entire management of the affairs of said church are vested in said rector, wardens, and vestry, and their successors as such, to be from time to time chosen by the congregation, who shall be trustees under this act; and they, when assembled in vestry meeting, shall have power to fill vacancies, to regulate the appointment and duties of officers, to lease or sell pews belonging to the church, and enforce payment of rents thereof, as may be stipulated in the lease or allowed by law.

§ 3. That all the real and personal estate at present belonging to, or held in trust for the use and benefit of, said church or its congregation, be vested in the corporation created by this act; and this act shall be subject to amendment or repeal at the discretion of the Legislature, and shall go into effect from its passage.

Approved May 23, 1865.

CHAPTER 1466.

AN ACT to incorporate William Tell Lodge, No. 146, I. O. O. F.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That P. Constance, D. Brandt, and J. F. Bunning, and their associates, be, and they are hereby, created a body-corporate, by the name and style of William Tell Lodge, No. 146, of the Independent Order of Odd Fellows, and they, and their associates and successors, shall so continue and have continual succession; and by that name are made capable in law as natural persons to sue and be sued, plead and be impleaded, contract and be contracted with, answer and be answered, in all courts of law and

1865.

equity in this Commonwealth; to have, make, and use a common seal, and the same to break, alter, or amend at pleasure; they may make and ordain regulations and by-laws for their government, and those now in force in said lodge to alter when deemed proper, and may change and renew the same at pleasure, provided they be not in contravention of the constitution, laws, and regulations of the Grand Lodge of the Independant Order of Odd Fellows, incorporated by an act approved February 16, 1838, nor in contravention of the constitution and laws of the United States or of this State. The said corporation shall have power and authority to acquire and hold real and personal estate, not exceeding twenty thousand dollars in value, and from time to time, if deemed expedient, sell and convey the same, or any part thereof, and to re-invest and dispose of the proceeds. The right to alter, amend, or repeal this act is hereby reserved to the General Assembly.

§ 2. This act shall take effect from its passage.

Approved May 23, 1865.

CHAPTER 1467.

AN ACT concerning the Town of Florence, in Boone County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the act, entitled "An act to incorporate the town of Florence, in Boone county," approved February 17, 1860, and the act to revive and amend the act "To incorporate the town of Florence, in Boone county," approved February 6, 1861, and all other enactments concerning said town passed since said 6th of February, 1861, be, and the same are hereby, repealed.

Approved May 23, 1865.

CHAPTER 1468.

AN ACT to amend the act incorporating the Ohio and Mississippi Transportation Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the act incorporating the Ohio and Mississippi Transportation Company, approved 18th January, 1865, be so amended as to increase the capital stock of said company to the sum of three millions dollars, to be held and disposed of as the capital of the original charter.

§ 2. This act to take effect from its passage.

Approved May 23, 1865.

CHAPTER 1469.

1865.

AN ACT to enlarge the Harrod's Creek Voting Precinct, in Jefferson County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the portion of Jefferson county lying within the following boundaries shall be, and is, added to the Harrod's creek voting precinct in said county; commencing at a point in the present western line of said precinct, midway between the Jefferson and Oldham, and Jefferson and Brownsboro turnpike roads, in said county; thence midway between said roads westwardly to the eastern boundary line of the city of Louisville; thence along said line to the Ohio river, at low water mark on the north side of said river; thence eastwardly along the meanders of the river to a point opposite the present western line of said precinct.

§ 2. This act shall take effect from its passage.

Approved May 23, 1865.

CHAPTER 1470.

AN ACT to authorize the County Court of Greenup County to levy and collect a tax to pay for bounties heretofore given in said County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Greenup county, consisting of the justices of the peace of said county, shall have power and are authorized to levy such an ad valorem of tax on the property of said county listed for State revenue, and a poll-tax (which shall not exceed two dollars and a half on each tithable of said county, in addition to the poll-tax now allowed by law), as said court may deem necessary to pay the bonds and debts of said county, which were contracted and authorized by the county court of said county in paying bounty for volunteers to fill the quota of said county under the call of the president of the United States for 300,000 volunteers, of date of 19th December, 1864; no such tax shall be levied unless the order of said court therefor shall be approved and voted for by a majority of the justices of the peace of said county then in commission; and said court may, in its discretion, levy said tax for a sufficient amount for the year 1865 as will pay said bonds and debts; or may so levy the tax as that one half of the amount necessary to pay said bonds and debts shall be collected in the year 1865, upon the assessment of that year, and the other half in the year 1866, upon the assessment of that year.

1865.

§ 2. The presiding judge of the Greenup county court shall have power and are authorized to cause the justices of the peace of said county to meet at any regular or special term, to be designated by him, to perform the powers given to them by this act.

§ 3. The county court of Greenup county shall have power to appoint a collector of the tax which may be imposed as aforesaid, and shall take from him bond, with good security, for the faithful performance of the duties of his office, or of any order of the court in relation to the collection and payment of the moneys arising from said tax. Like powers are hereby given to said collector in the collection of said tax, and like remedies against him as are given by law to and against sheriffs in the collection and payment and accounting of the State revenue.

§ 4. The said county court shall have power to make such allowance to the said collector for the collection and disbursement of said tax, as in its discretion it may deem proper, not exceeding the per cent. now allowed by law to sheriffs for the collection of the State revenue and county levies. The sheriff of said county may be appointed the collector.

§ 5. This act shall take effect from its passage.

Approved May 23, 1865.

CHAPTER 1471.

AN ACT empowering the Boone County Court to execute and sell bonds, and levy a tax to pay the same, to raise a bounty fund to refund money expended in raising recruits for United States service to fill the quota of said county.

WHEREAS, It is represented to the General Assembly of the Commonwealth of Kentucky, that during the year 1864 divers persons, at the general request of the people of Boone county in public meeting assembled at the county seat, advanced, raised, and appropriated the sum of one hundred and seventy thousand and eight hundred dollars in money, whereby said county was freed from a military draft for men made September 19, 1864, under call of the President of the United States, dated in July, 1864, for five hundred thousand men; and whereas, it is further represented that said sum of money was raised, advanced, and appropriated for the purpose aforesaid by divers persons, to whom the faith of the county was pledged as aforesaid that bonds should be issued by the county court for the amount, and that the same should be disposed of in such manner as shall speedily relieve such persons from the burden aforesaid, and that taxes should, from time to time, be assessed and levied by said county court upon the taxable property and white tithes of the county to pay

said bonds and the interest thereon, as the same becomes due; now, therefore, in order to enable the people of Boone county to redeem their solemn pledge as aforesaid, 1865.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it may be lawful, and it shall be the duty of the county court, in July, 1865, at a called or regular term of such court, a majority of the justices of the peace for said county being present, to order the execution and sale of the bonds of Boone county to the amount of one hundred and seventy thousand and eight hundred dollars, and to pledge and bind the good faith and credit of said county for the payment of said bonds and all interest that may accrue upon the same; said bonds shall be made payable to bearer; and they may be issued for such amounts, and may run for such length of time, not exceeding seven years, and bear such rate of interest, not exceeding ten per cent. per annum, as the court may direct; such bonds may bear interest, payable annually, if the court shall so direct, which bonds may be made payable and may be sold in such place or places as the court may determine; the bonds shall be signed by the presiding judge of the Boone county court, and by the clerk of said court, and he shall place the official seal of said court upon each bond; said bonds shall not be sold at less than par. If from any cause a majority of the justices should not be present as provided in this section, then those present may adjourn from time to time until the presence of the required number can be secured, but no such adjournment to extend beyond three days. Bonds to be issued, and how.

§ 2. That the presiding judge and justices shall meet at the court-house in Burlington and form a court, as provided in the preceding section, on the first Monday in July, 1865, and on the first Monday in May every year thereafter, with same powers of adjournment as provided in section 1st, and shall levy and collect such ad valorem tax upon the real and personal property assessed in said county for revenue purposes for this Commonwealth, not beyond the year 1873, as may be sufficient in amount to meet such of the bonds and the interest thereon as may become due in such year, and the costs and expenses incurred in the execution of this law. It is hereby declared lawful for said court to levy and collect said tax as aforesaid; it shall be lawful, in addition to levying the said tax upon the property assessed for revenue purposes, if it should to said court seem best, for a portion of the fund to be raised by levying a capitation tax upon each white tithe in said county, not exceeding ten dollars any one year on each white tithe in said county, this power to be levied at the discretion of said court; the levies herein mentioned shall To levy a tax, and when.

1865.

Treasurer and
collector to be
appointed.

Bond of treas-
urer.

Collector's
bond.

Treasurer to
receive bonds
from county
clerk, and re-
ceipt for same.
To sell bonds.

Bonds may be
delivered to
subscribers.

be due on the first day of August, in the year 1865, and every year thereafter on the first day of June.

§ 3. For the purposes of this act the said court shall, at any called or regular session, a majority of the justices being present, appoint a treasurer and collector of bounty fund, and shall fill any vacancy that may occur in either of said offices; those appointed in the year 1865 shall serve until the first day of January, 1867, and on the first Monday of January, 1867, the said officers shall be appointed in like manner for two years, and those then and thereafter appointed shall serve for a period of two years, and shall hold their offices until their successors are appointed and qualified; for the first term the treasurer shall execute a bond to the county of Boone in the sum of one hundred and eighty thousand dollars, with good security, to be accepted and approved in open court by the county judge, and for each succeeding term he shall execute a like bond in the sum of fifty thousand dollars; the collector for each term shall execute a like bond in the sum of fifty thousand dollars; the condition of the bond of the treasurer shall be that he will safely and faithfully keep all the money that may come to his hands as such treasurer, and promptly pay the same when and to whom ordered by the said court, and that he will faithfully discharge any and all duties devolved upon him by this act or by said court in pursuance of the provisions hereof.

§ 4. The conditions of the bond of the collector shall be that he will promptly and faithfully collect all taxes imposed under this act while he remains in office, and all such tax bills as may come to his hands, and pay the same over to the treasurer of the bounty fund when ordered, and in all respects faithfully discharge any and all duties devolved upon him by virtue of this act or by said court in pursuance of the provisions hereof.

§ 5. Said treasurer shall receive from the clerk of said court all bonds issued under this act, and receipt to him for the same, giving the number of the bond, the amount, the time it has to run, and when payable; and he shall immediately proceed to dispose of them in the manner said court may order; and he shall, as soon as said bonds so delivered are disposed of, make a written report to said court of the manner in which he has discharged his duty, and the amount he has received for each bond; the treasurer may, under the direction of the court, deliver bonds to those who have subscribed and paid money to said bounty fund, or who have in any other manner advanced money to said fund before the bonds are offered for sale out of the county, taking from such persons proper vouchers for the same; the money arising from the sale of bonds shall be paid under the order of said court in the

1865.

discharge of claims for money raised, subscribed, or paid upon, and for the purposes mentioned in the preamble to this act, until the whole amount therein mentioned has been paid by the treasurer; the treasurer shall, at any time the court may direct, report and settle with the presiding judge for any of his actings and doings hereunder; and it shall be the duty of the court to require reports and settlements as often as every three months during the year 1865, and as often as once in each year thereafter.

§ 6. The sheriff may be appointed the collector of the bounty fund; the taxes hereby imposed shall be a lien upon the real and personal estate of the person assessed, and shall so remain until the same are paid.

Sheriff may be appointed collector.
Tax a lien.

§ 7. It shall be the duty of the county court clerk, when the sheriff is not appointed collector within one month after the bond of the collector has been filed, and in every year after 1865 on the first day of June, to deliver to said collector a copy of the tax book of the county, and take from him his receipt therefor; when the sheriff is also the collector of bounty fund the clerk shall not deliver to him any extra tax book, but shall receipt as collector to the clerk for the tax book he receives as sheriff.

Tax book to be delivered to collector.

§ 8. It shall be the duty of the collector, immediately after the first day of August, in the year 1865, and the first day of June for every year thereafter, to proceed with the collection of the bounty fund tax as aforesaid, hereby and during the years 1865 and 1866; it shall be the duty of the tax-payers under this act to pay their taxes at the county seat of Boone county, or such other places as the collector may designate by notice given, in the year 1865, between the first day of August and the first day of October, and and in the year 1866 between the first day of June and the first day of October.

When tax to be collected.

§ 9. The collector may appoint one or more deputies, and when the sheriff is the collector his deputies shall be deputy collectors; the appointment of deputies shall be subject to the approval of county court; the collector and his sureties upon his official bond shall be responsible for the official conduct of his deputies.

Deputy collectors may be appointed.

§ 10. The collector shall keep an office at or near the court-house in Burlington, and shall, by himself or deputy, attend at said office every day, from August 1st, 1865, till November 1st, and for the year 1866 from June 1st till October 1st.

Collectors to keep an office.

§ 11. If any tax-payer shall fail or refuse to pay his taxes as above provided, or as provided after the notice in the next section, the collector is hereby authorized to collect from such delinquent ten per cent. on the amount of his tax due hereunder, which shall be retained by the collector as additional compensation.

Ten per cent. may be added for failure to pay tax.

1865.

Notice of time
and place for
collection of
tax to be given.

12. The collector shall post up not less than three printed notices in each election precinct in said county, at the most public places in said precinct, notifying the tax-payers at least thirty days before said tax is due, and when and where they are required to pay the same; and in case he fails to post up said notice as aforesaid, he shall not be allowed the ten per cent. on the tax due from the taxpayer.

When to col-
lect tax for 1865

§ 13. It shall be the duty of the collector, in the year 1865, immediately after the first Monday of August, and for each subsequent year immediately after the first day of June, to proceed with the collection of the taxes named in this act.

When collector
to attend & re-
ceive taxes.

§ 14. After the year 1866, between the first day of September and the fifteenth day of October in each year, the collector shall attend at some public place at least two days in each of the election districts in the county to receive the taxes not heretofore paid; and it shall be the duty of such of the tax-payers as have not paid to attend at the times and places designated by the collector, and pay the taxes due from them; notice of the time and place fixed by the collector for his attendance in said districts shall be given by posting the same on the courthouse door, and at some public place in each district, for at least thirty days prior to the time designated.

Penalty for
failure to pay
taxes.

§ 15. If the tax-payer shall fail to pay his taxes before the 15th day of October, it shall be his duty to attend and pay the same to the collector at the court-house at Burlington before the 15th day of November; and if he fails to pay before that day, ten per cent. upon the amount of his taxes remaining unpaid at that time shall be added thereto, and collected by the collector, and which sum shall be retained by him as part of and in addition to his commissions.

Collector to
make state-
ment of taxes
collected.

§ 16. It shall be the duty of the collector, at the September, October, and November terms of the county court in 1865, and at the July, August, September, October, and November terms of said court for every other year, to make a written statement, under oath, of the amount of taxes collected and in his hands due under the provisions of this act, and file the same with the clerk by an order of the court; and immediately thereafter it shall be the duty of said collector to pay to the treasurer of the bounty fund the sum reported by him as exhibited by said statement, after deducting therefrom his commission upon the amount so collected.

Collector to
pay over to
treasurer—
when.

§ 17. The collector shall account for and pay to the treasurer aforesaid, every year, on or before 27th day of December, all the money ordered to be collected by him on the taxes aforesaid; upon failure so to do, he and his

sureties shall be liable for the unpaid balance, and be compelled to pay the amount of tax due and six per cent. interest thereon, in the year 1865, from the first day of August, and on every other year, with interest thereon, from the first day of June preceding until paid, and costs of suit, besides the damages imposed in the next succeeding section.

1865.

§ 18. If any collector shall fail to account for or pay to the treasurer aforesaid the tax in this act specified, according to the requirements hereof, the county attorney of Boone county shall proceed, in the name of the county of Boone, to collect the same by suit, in any court of competent jurisdiction, against the said collector and his sureties on his official bond, their heirs, distributees, devisees, and personal representatives, jointly and severally; he may sue some, any, or all of them.

Proceedings
against collector
or for failure.

§ 19. Judgments, when given against the defendants in the cases referred to in the two preceding sections, shall be for the principal due, with its legal interest, and twenty per cent. damages on the amount of the principal, fifty per cent. of which damages shall go to the county attorney as a fee for his services in said action; no tender of payment nor any offset shall be pleaded or given in evidence.

Judgments.

§ 20. If any treasurer shall fail to comply with any condition of his bond, or to pay over the money in his hands upon a lawful claim and demand, the county attorney of Boone county shall proceed to sue upon his official bond, in the name of the county of Boone, said collector, his sureties, their heirs, distributees, devisees, and personal representatives, jointly and severally; he may sue some, any, or all of them, and such judgment given as is provided in the preceding section against the collector; and the county attorney shall be allowed a like per cent. of the damages recovered, interest to run as in case of judgment against the collector.

Proceedings
against treasurer
for failure

§ 21. Upon any execution that may be issued upon any judgment mentioned in the preceding sections, the clerk of the court issuing the same shall indorse thereon judgment; for taxes unpaid no security will be taken.

§ 22. Judgments when given against the treasurer or his sureties, &c., shall be for the principal when for non-payment of money in his hands, with legal interest from the time of demand, and twenty per cent. damages on the amount of the principal.

Judgments
against treasurer
for failure

§ 23. Upon any judgment in the name of the county of Boone against either a treasurer or collector, &c., as aforesaid, a *capias pro fine*, or any other final process, may issue from time to time until their judgment be satisfied.

Capias pro fine
may issue.

§ 24. Upon the failure of any person or persons bound to pay taxes under this act to pay the same, the collector

Penalty for
failure to pay
tax for 1865.

1865.

may, in the year 1865, after the first day of August, and in any other year after the first day of June, distrain the slaves, goods, and chattels owned by or in the rightful possession of the persons from whom the tax is due, notwithstanding the existence of any lien upon the same; and may proceed to sell the title of such person, or so much thereof as will pay the tax due and all costs and damages, in like cases where such property is distrained for the non-payment of taxes due the State for revenue purposes. The collector, in making distraint for taxes, shall be governed by the law, and be amenable thereto in the same manner that sheriffs are governed and liable, as prescribed in sections nine and ten, in article nine, of chapter eighty-three, title "Revenue and Taxation," of the Revised Statutes.

Proceedings in
case there is no
personal estate

§ 25. If there be no personal estates which the collector can distrain for the tax aforesaid, he shall proceed with said tax lists against any person or persons as with an execution, and for the amount of the taxes and damages due from any person or persons he shall proceed to levy, advertise, sell, and convey such real estate as he can find in said county belonging to the debtor or debtors in such tax bill, in the same manner that the sheriff is authorized now to do in the case of the levy and sale of real estate taken by an execution or *fiери facias*; and shall make a like return on such tax bill, and return the same to the clerk's office of the circuit court of Boone county; and the clerk of said court shall record the tax bill and return thereon in the same book in which executions and returns of sales of real estate are required to be recorded, and the clerk shall have same fee as provided by law with regard to executions and returns. The purchaser shall pay the collector a fee of five dollars and the United States stamp expense for making the deed. The same right of redemption is hereby allowed to the person whose land may be sold, as in case of execution sales, except that he shall pay twenty per cent. instead of ten, the amount fixed by law.

Collector to
proceed as
sheriff.

§ 26. It shall be lawful for the collector, whenever the tax-payer fails or refuses to pay the aforesaid tax due from him, or is insolvent, to proceed in all respects as the sheriff in collecting revenue tax is authorized to proceed under an act, approved March 3d, 1863, entitled "An act authorizing sheriffs and other collecting officers to attach for the payment of State revenue and county levy."

Proceedings in
case of insol-
vents and non-
residents.

§ 27. If any person bound for taxes as aforesaid shall be insolvent, or shall have removed out of the county with his estate after he was assessed for tax, and before a sufficient time to collect it had elapsed, the collector shall, when he settles with the county court, make out two lists, one of insolvents, the other of removal, stating therein the

1865.

amount of tax due from each individual, the property assessed, and the county or place to which they may have removed; the facts stated in each list shall be verified on oath, which lists the county court shall carefully examine and strike therefrom such as they may know or have evidence to believe not insolvent, or who have not removed, nor whose tax could have been collected before removal by reasonable diligence on the part of the collector; he shall also produce a list of those whose property has been advertised and not yet sold; the list of those removed and insolvent shall be credited to the collector, and time to make another settlement within sixty days thereafter for those advertised and not collected, as the taxes due from those persons remained; it shall be lawful for the clerk of the county court to issue an execution to the county in which any one may have removed, directed to the sheriff of such county, and against the property of the person owing the taxes, for the amount due from such person, indorsed due for taxes; no security will be taken.

§ 28. The county court, a majority of the justices of the county being present, shall fix the compensation of the treasurer, and order the same to be retained by him out of the funds in his hands; and may change the amount of compensation to the treasurer, but shall not diminish the compensation of any treasurer after he has accepted the office during the term for which he may be appointed.

Compensation
of treasurer.

§ 29. The collector shall, for his services herein, be allowed to charge and retain in his hands, at any settlement with the court, a commission to be fixed by the county court, a majority of the justices of the county being present, of not less than two nor more than three per cent. upon the amount collected and paid out by him; and, in addition, when he sells property, he shall be allowed to charge and collect from the tax-payer the same fees that sheriffs can legally charge for similar services in the collection of the revenue of the State.

Compensation
of collector.

§ 30. The clerk of the county court, in making out a tax book for the collector, shall be allowed to charge the same fees that he is allowed for the same services in making a tax book for the sheriff, and the same shall be paid by the treasurer upon an order of the court; and for any other services he shall be allowed the same fees as he is by law allowed to charge individuals for the same or similar services, and to be paid as above; he shall procure a separate book, to be called the bounty fund book, in which shall be recorded all reports made by the judge of settlements with the treasurer or collector, and all reports made to the court by the treasurer or the collector, the costs of which book or books shall be allowed to him and paid as above.

Compensation
of county clerk

1865.

Compensation
of county judge

§ 31. For any settlement made with the treasurer or collector the judge shall be allowed to charge at the same rates as by law he can now charge for settlements with personal representatives, which fees shall be paid by the treasurer upon receiving the fee bill of the judge for such service; all such settlements shall be reported to the court for approval or correction, like reports of settlements with personal representatives.

Who to act
when county
judge does not.

§ 32. In case of absence, sickness, or from any cause, the presiding judge of the county shall fail to perform any of the duties herein imposed upon him, the same duties shall be performed by any justice of the county who shall be designated for that purpose by the justices of the county in open court, and the facts in the case to be made of record by the clerk of said court.

General pow-
ers conferred.

§ 33. All general powers necessary to carry into effect the purposes and objects of this act, not herein specified, are hereby conferred upon said court, collector, and treasurer, and they are to be governed by general laws in force regulating the duties of said court and the judge thereof, and the sheriff of the county, in the discharge of similar duties in other cases.

Persons may be
exempt from
payment of tax

§ 34. A majority of the justices present and concurring therein may, at their discretion, exempt any citizen of said county from the payment of said tax, or any portion thereof, as equity and justice to them may indicate.

§ 35. This act shall be in force from and after its passage.

Approved May 23, 1865.

CHAPTER 1472.

AN ACT to incorporate the Henry County Cemetery Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That Joseph Brinker, I. N. Webb, C. M. Mathews, R. Valentine, W. A. Perry, R. B. Gray, and G. C. Castleman, be, and are hereby, made a body-politic and corporate in law, under the name and style of the "Henry County Cemetery Company," and by that name shall be able and capable in law to have and use a common seal, sue and be sued, and do all things that are incident to a corporation. The said company shall have power to purchase any quantity of land, not exceeding fifty acres, in the county of Henry, and receive a conveyance for the same, with such covenant of warranty as they may think proper. The land and appurtenances, when conveyed to said corporators, shall be held solely and exclusively for a cemetery, and ornamental ground connected therewith, and

May purchase
lands.Lands to be
held exclusive-
ly for cemetery.

shall never be alienated, sold, or used by said corporation for any other purpose than burial lots, as hereinafter prescribed; but said corporation may have the necessary houses for the rearing of plants and flowers, and portions of the grounds may be used by the superintendent for horticultural, floral, and other purposes, at the discretion of the directors of said company: *Provided*, The same be used in a manner not inconsistent with the reverence and respect due to the cemetery of the dead.

1865.

May erect
houses, &c.

§ 2. The said grounds, fixtures, shrubbery, and every thing growing therein, shall not be subject to State revenue, nor shall the ground, after it shall be fully paid for, be subject to be sold by judgment, execution, or decree, for any debt or other cause whatsoever. No road or pass-way shall be opened through said grounds unless by consent of the company. The said company may receive and take, by devise or bequest, any property or other thing thus given them, to be appropriated to the improvement, ornament, and beautifying of said cemetery and grounds.

Ground exempt
from tax and
from executionNo road or pass-
way through
grounds.

§ 3. A majority of the above named persons, or their survivors, shall have power to appoint a board of seven directors, who shall elect one of their number chairman, and shall remain in office until their successors are elected and qualified, and have power to fill vacancies that may occur in their body by death, removal, or resignation; the term for which the first board of directors shall serve shall be designated by those who appoint them, and limited thereto; after the first board shall have been appointed, and have qualified, they and their successors in office shall exercise all the corporate powers of the corporation; seven directors shall afterwards be elected once in every five years, by a majority of the shareholders who vote, due notice of the time and place of voting; and such election shall be conducted by judges appointed by the board then in office; the directors thus elected shall remain in office for five years, and until their successors be elected and qualified; if anything should prevent an election within the prescribed time, a majority of the directors in office shall have power, and it shall be their duty, to call a meeting for and cause an election of their successors as soon afterwards as convenient; the directors shall at all times have power to fill vacancies that may occur therein by death, resignation, or removal; death, or removal from the county of Henry, shall vacate the place of a director; four directors, or the chairman and three directors, shall constitute a quorum for the transaction of business.

Seven directors
to be appointed

Vacancies.

Term of office.

§ 4. The directors shall keep a regular record of their proceedings, and of all sales, transfers, and disbursements, and shall make and preserve an accurate map of the grounds

Record of pro-
ceedings to be
kept.

1865.

Directors to
take oath.

and lots, and have the same recorded in the clerk's office of the Henry county court; each director, before he enters upon his office, shall make oath, before some person authorized to administer oaths, that he will faithfully discharge the duties devolving on him as such director to the best of his ability, and will not be influenced in his conduct as such by sectarian or political partialities.

Grounds to be
laid off.

May sell lots.

May make by-
laws.

§ 5. As soon as the ground is purchased, and the directors qualified, they shall have power to lay off and ornament the same, and from time to time erect, alter, and repair such buildings as may be necessary for the use or ornament of the cemetery grounds; they shall have power to lay off and sell burial lots, either at public or private sale; to make, from time to time, by-laws and regulations for the management of the same, and regulate the manner in which bodies may be interred, and make such other rules and regulations as may be necessary for the purposes of the corporation.

How proceeds
invested.

Title may be
transferred.

§ 6. The proceeds of the sale of lots, and all moneys that may come to the corporation from any other source, shall be applied, first to reimburse those who have made advancements for the original outlay and purchase of the establishment, and shall afterwards, in all time to come, be applied to ornament and improve the grounds, and to defray incidental expenses; when a burial lot is purchased the directors shall give a certificate thereof under the hand and seal of the chairman of the board, which shall vest the purchaser with title thereto; the title may be transferred under such rules as the board may prescribe by their by-laws, but in no other manner; if not transferred by the grantee, it shall descend and pass as other real estate, to be used for the purposes as herein prescribed; whenever an attempt is made to use any lot for other than burial purposes, the title thereto shall revert to the corporation, unless a majority of the board shall consent that it be otherwise used.

Penalty for vio-
lating graves,
&c.

§ 7. If any person shall forcibly, and without lawful authority, violate any of the graves of the dead, or deface any of the tombstones, monuments, or inclosures, or injure any of the grounds, shrubbery fixtures or buildings, or in any manner damage any of the grounds of the corporation, such person, besides being liable to an indictment for a misdemeanor, and punishable according to the discretion of a jury, shall be liable to the corporation in an act of trespass; and the damages, when recovered, and the fines, when assessed and collected, after paying expenses, shall be applied by the corporation to restore the damage done as far as it is possible to do so.

Subscriptions
may be receiv-
ed.

§ 8. That for the purpose of effecting the purchase of the grounds for the cemetery the corporation may receive

subscriptions and give certificates of stock for every twenty-five dollars subscribed and paid, which shall be a share, and each shareholder shall be entitled to a vote in the election of directors; the county court for the county of Henry, and the chairman of the board of trustees for the town of Newcastle, are hereby empowered to subscribe stock in said corporation, and respectively levy taxes upon the citizens of the county and town to pay the same.

1865.

County court
& trustees may
subscribe.

§ 9. This act to be in force from and after its passage.

Approved May 24, 1865.

CHAPTER 1473.

AN ACT to incorporate the Sulphur Spring Coal, Oil, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That Leonard A. Spalding, Clement S. Hill, Govey Hood, David W. Philips, Samuel Spalding, and William B. Harrison, and their associates and successors, be, and they are hereby, created a body corporate and politic, by the name of "The Sulphur Spring Coal, Oil, and Mining Company," with all the powers and authority incident to corporators and corporations, for the purposes hereinafter mentioned; and with all the general and special powers, privileges, and immunities which have been and may be granted by this General Assembly to any corporation chartered for similar purposes.

Corporators'
names, and cor-
porate powers.

§ 2. Said corporation is hereby authorized to purchase, hold, sell, or dispose of lands; in fee simple and by lease, for mining and boring for petroleum, and other oils and minerals, of whatever kind; and to manufacture, refine, transport, and sell the same.

May hold lands

§ 3. The capital stock of the corporation shall be divided into shares of not less than fifty dollars, nor more than one hundred dollars each, which shares may be issued and transferred in such manner, and on such conditions, and under such rules of forfeiture for non-payment of calls and assessments, as the board of directors of such corporation may prescribe; and the liability of shareholders shall extend to, and be limited by, the amount of stock held by them respectively.

Capital stock.

§ 4. The affairs of said corporation shall be managed by three or more directors, one of whom shall be elected by the directors as president, and all of whom shall be stockholders in said corporation; the first board of directors shall consist of the above named corporators, who shall continue in office for twelve months, and until their

Who to man-
age affairs.

First board
of directors.

1865.

Vacancies, by-laws, &c.

May open books.

Further powers.

Right of way.

successors shall be appointed ; and the said directors and their successors shall continue in office for one year, and until their successors shall be elected and enter upon the duties of their office ; if any of the above named directors shall decline to act, those remaining shall have power to fill the vacancy ; they may adopt such by-laws and rules for the government of the corporation and the management of its affairs, as they may deem proper, not inconsistent with the constitution of this State and of the United States ; said corporators, or any of them, may open books for, and receive subscriptions to, the capital stock of said company, at such times and places, and on such conditions, as the board of directors may determine ; besides their president the board of directors may appoint a secretary, treasurer, superintendent, and such other officers as may be by them deemed necessary, and fix their compensation as well as that of their president ; and by their by-laws regulate the mode of keeping their records, to insure a just exhibit and administration of their affairs.

§ 5. The board of directors may fill vacancies in any of said offices which may be occasioned by death, resignation, or otherwise, and may, by their by-laws, provide for the removal of such as may be guilty of malfeasance or non-feasance in office ; they shall also have power to make such calls for the payment of stock as they may deem necessary, and in the event of non-payment may forfeit the stock of the defaulting shareholder, or collect the same by suit, as they may elect.

§ 6. Right of way is hereby granted to said corporation over any lands in this State, with power and authority to condemn the same to their use in the same manner, and subject to the same restrictions, as are and have been given to and imposed upon any corporation heretofore chartered by the General Assembly of Kentucky ; and with power and authority to construct and operate over the right of way thus granted common and turnpike roads and railroads, to and from and between the sites of their mines or oil wells, and the markets for the storage or sale of their products in this State, with the right, power, and authority, when any of such roads or railroads shall be used by other parties for travel or traffic, to charge therefor such reasonable rates of toll or carriage as the board of directors may determine, not to exceed the rates prescribed by law to be charged by other corporations specially chartered to furnish such facilities and perform such services.

§ 7. Nothing herein contained shall be construed as conferring upon said corporation banking privileges.

§ 8. This act to take effect and be in force from and after its passage.

Approved May 24, 1865.

CHAPTER 1474.

1865.

AN ACT to incorporate the Obey and Wolf River, Tennessee, and Kentucky Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That G. W. Drye, J. T. Allstott, and D. B. Wilcox, and their associates and successors, be, and they are hereby, created a body-corporate and politic, by the name of the "Obey and Wolf River, Tennessee, and Kentucky Oil, Mining, and Manufacturing Company," with all the powers and authority incident to corporators and corporations, for the purposes hereinafter mentioned, and with all the general and special powers, privileges, and immunities which have been and may be granted by this General Assembly to any corporation or corporations chartered for similar purposes.

Corporators' names, and corporate powers.

§ 2. The corporation is hereby authorized and empowered to purchase, sell, hold, and dispose of lands, in fee simple and by lease, for mining and boring for petroleum, and other oils and minerals, of whatsoever kind, and to manufacture, refine, transport, and vend the same.

May purchase lands.

§ 3. The capital stock of the corporation shall be divided into shares of not less than five nor more than five hundred dollars each; which shares may be issued and transferred in such manner, and upon such conditions, and under such rules of forfeiture for non-payment of calls and assessments, as the board of directors of such corporation may direct; and the liability of shareholders shall extend to, and be limited by, the amount of stock held by them respectively.

Capital stock.

§ 4. The affairs of said corporation shall be managed by three or more directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; the first board of directors shall consist of _____, who shall continue in office for one year, or until their successors are elected by a majority in interest of the stockholders of said corporation, which said corporation may exist in perpetuity; and the directors thus elected, and their successors, in perpetual succession, shall continue in office for one year, and until their successors are elected and enter upon their duties; if any of the above named directors shall decline or refuse to act, a majority of those remaining shall have power to fill such vacancy; they may adopt such by-laws and rules for the government of the corporation and management of its affairs, as they may deem proper, not inconsistent with the constitution and laws of this State and of the United States. Said corporators, or any of them, may open books for, and receive subscriptions to, the capital stock of said company hereby cor-

Who to manage affairs of corporation.

First board of directors.

Vacancies.

May make by-laws.

May open books.

1865.

Calls on stock.

Right of way.

May build
roads, &c.Officers to be
appointed.

porated, at such times and places, upon such notice, and coupled with such conditions, as the board of directors may determine. The board of directors of such corporation may fill vacancies occasioned by death, resignation, or otherwise; they may make such call for the payment of stock as they may deem proper, and, in event of non-payment, may forfeit the stock of the defaulting shareholder, or collect the same by suit, as they may elect. Right of way is hereby granted to said corporation over any lands, and on and along any water courses, within the State, with power and authority to condemn the same to their use, in the same manner, and subject to such restrictions, as are and have been given to, and imposed upon, any corporation heretofore chartered by the General Assembly of Kentucky; and with power and authority to construct and operate, over the right of way thus granted, common and turnpike roads and railroads, and to build and maintain, on and along such water courses, locks and dams, and other fixtures and appliances for slack-water navigation, to and from and between the site or sites of their mining and oil wells and the markets for the sale and storage of their products, and to and from and between such mines and oil wells and the reliably navigable waters within and bordering upon the State; with the right, power, and authority, when such roads, railroads, and improved navigation shall be used by any other party or parties, for travel or traffic, to charge for such use such reasonable rates of toll or carriage as the board of directors may determine, not exceeding the rates permitted by law to be charged by other corporations specially chartered for and authorized to furnish and perform similar facilities and services. The board of directors may keep their office or offices at such place or places as the interests of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such other officers as they may deem necessary, and fix their compensation; and by their by-laws regulate the mode of keeping their records to insure a just exhibit and administration of their affairs.

§ 5. Nothing contained in this charter shall be construed as conferring banking privileges upon the corporation.

§ 6. This act to take effect from its passage.

Approved May 24, 1865.

CHAPTER 1475.

1865.

AN ACT to incorporate Knox, Richland, and Fighting Creek Oil and Mineral Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Fleming S. Burnett, Wm. A. Dozier, Wm. P. Jones, Isaac Jones, James W. Dozier, Thos. S. Payne, Hugh P. Martin, Jesse T. Byrley, Josiah Dozier, of the county of Knox, and State of Kentucky, and all other persons who may become stockholders, shall be, and are hereby, made a body corporate, under the name of "Knox, Richland, and Fighting Creek Oil and Mineral Company," and by that name shall be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded, in all courts and places whatsoever, and have and possess all powers incident to corporations; may have and use a common seal, change, alter, and renew the same at pleasure.

Corporators' names, and corporate powers.

§ 2. That said corporation hereby created may be capable to acquire, by purchase, gift, or lease, receive, hold, and enjoy, and again to sell, lease, or otherwise dispose of, such lands as may be in their judgment necessary and useful for said corporation to develop the mineral resources of any lands they now own, or may hereafter own, or otherwise acquire.

May hold real estate.

§ 3. That said company shall have the privilege to bore, dig, mine, excavate, and explore for oil, coal, iron, lead, copper, silver, gold, salt, or any minerals of a volatile substance on or in any lands they now own, or may hereafter own, by purchase, lease, or otherwise acquired.

Privileges.

§ 4. And after having obtained said minerals or mineral substances, they shall have power to manufacture and refine the same, prepare them for market, sell and dispose of them at such times and in such manner as to said company seems most expedient; that the said company shall have power to erect all such improvements, houses, and machinery for the purposes aforesaid.

Powers of corporation.

§ 5. The stock of said company shall be managed by a president, vice president, secretary, and five directors, all to be chosen by the stockholders.

President.

§ 6. The officers of said corporation shall be elected on the first Monday in June in each year, and each stockholder shall have as many votes as he owns shares; he may vote in person or by written proxy.

When officers elected.

§ 7. The capital stock of said company shall not exceed the sum of (\$200,000) two hundred thousand dollars, and shall be divided into shares of (\$100) one hundred dollars each.

Capital stock.

§ 8. The first officers of this corporation shall be Fleming S. Burnett, president, and _____, vice president,

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and Thomas S. Payne, secretary, _____ directors, and to hold their offices until their successors are elected and qualified.

Quorum, by-laws, &c.

§ 9. A majority of the directors, for the time being, shall form a board for the transaction of the business of the said corporation, and shall have power to make and enforce such by-laws as they may deem expedient for the government, management, and disposition of the stock of said corporation: *Provided*, The same is not contrary to the laws of the United States and of the State of Kentucky.

Record to be kept.

§ 10. The secretary shall keep, or cause to be kept, proper books, in which shall be entered all transactions and business of said corporation; such books shall be opened to the inspection of any stockholder.

May collect debts.

§ 11. The president and directors shall have power to enforce, by appropriate actions in any court having jurisdiction thereof, all such shares of stock, and other debts due and owing the corporation.

Capital stock may be increased.

§ 12. The capital stock of this corporation may be increased, from time to time, as in the opinion of the president and directors may deem expedient, not to exceed the sum aforesaid.

§ 13. This act shall take effect from and after its passage.

Approved May 24, 1865.

CHAPTER 1476.

AN ACT to incorporate the Lewisport Lodge, No. 303, of Free and Accepted Masons.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the members, and those who may hereafter become members, of Lewisport Lodge, No. 303, of Free and Accepted Masons, in the town of Lewisport, Hancock county, Kentucky; and by that name and style shall have perpetual succession, and be capable of contracting and being contracted with, to sue and be sued, to plead and be impleaded, in all the courts of law and equity in this Commonwealth; of purchasing and holding such real and personal property as may be required for the use of said lodge; to receive all necessary conveyance; to sell, convey, or dispose of all such real or personal estate as they may now have, or may hereafter acquire: *Provided*, That the amount invested in real estate, exclusive of buildings thereon, shall at no time exceed ten thousand dollars.

§ 2. That the management of the concerns of said corporation shall be, and is hereby, confided to the master,

senior and junior wardens, secretary, and treasurer, and their successors in office, as trustees thereof; who, or a majority of them, shall have power to make all contracts pertaining to the real or personal estates of said lodge.

1865.

§ 3. That the said trustees shall have power to pass such by-laws, rules, and regulations, not inconsistent with the laws of the United States or of this State, as may be necessary for the safe-keeping of the property and other interests of the lodge; and may use a common seal, and change the same at pleasure; and in conveying real estate the whole board of trustees shall unite in such conveyance.

§ 4. The General Assembly hereby reserves the right to amend, alter, or repeal this act at pleasure.

§ 5. This act to take effect from its passage.

Approved May 24, 1865.

CHAPTER 1477.

AN ACT to appropriate certain moneys by the County Court of Mercer County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That if any moneys have been collected by the sheriff of Mercer county under and by virtue of an act, entitled "An act to authorize the Mercer county court to sell the old jail and lot, and levy a tax to build a new jail," approved February 20, 1864, the same, so far as is necessary, may be by the justices of said court, a majority thereof being present, appropriated to repairing and refitting the old jail, and inclosing the lot on which the same is situated; and the residue of said moneys, if any, may be in like manner applied to refitting and repairing the courthouse of said county.

§ 2. That no further taxes shall be collected under said recited act, approved February 20, 1864, and to this extent the same is repealed.

§ 3. That this act take effect from its passage.

Approved May 24, 1865.

CHAPTER 1478.

AN ACT for the benefit of the Springfield and Bardstown Turnpike Road Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the president and managers of the Springfield and Bardstown turnpike road company shall have power to collect full toll upon said road, notwithstanding the

1865.

bridge over the Big Beech Fork has been burned by the guerrillas: *Provided*, That they shall, as soon as practicable, rebuild said bridge.

§ 2. That the said company may establish a ferry at or near where said bridge stood, and charge the same tolls for ferriage as ferries are now by law allowed to charge, and the tolls so charged, after paying the expenses of said ferry, shall be applied to the rebuilding of said bridge, or paying the debt of the company created for that purpose.

§ 3. That to enable said company to rebuild said bridge they are authorized to borrow the money upon the faith of the road, at any rates of interest not exceeding eight per cent. per annum, and give the bonds of the road for the same, signed by the president and countersigned by the treasurer, and to apply all the surplus tolls to the payment of said money.

§ 4. This act shall take effect from its passage.

Approved May 24, 1865.

CHAPTER 1479.

AN ACT for the benefit of John Cummins, late Sheriff of Rockcastle County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That John Cummins, late sheriff of Rockcastle county, be, and he is hereby, allowed the further time of two years, from and after the passage of this act, to collect all arrearages of taxes and uncollected fee bills due him whilst sheriff of said county, and that he shall have power to distrain for the same; he and his sureties to be liable for any illegal distress or other improper conduct in the collection of said taxes and fee bills as in all other cases.

§ 2. This act to take effect from its passage.

Approved May 24, 1865.

CHAPTER 1480.

AN ACT for the benefit of W. G. Wade, late Sheriff of Simpson County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. G. Wade, late sheriff of Simpson county, be, and he is hereby, allowed the further time of two years to collect all arrearages of taxes and uncollected fee bills due him whilst sheriff of said county, and that he shall

have power to distrain for the same, he and his sureties to be liable for any illegal distress or other improper conduct in the collection of said taxes and fee bills as in all other cases.

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§ 2. This act to take effect from its passage.

Approved May 24, 1865.

CHAPTER 1481.

AN ACT to legalize the qualification of Charles F. Bosley as Sheriff of Washington County, and to legalize his acts as such.

WHEREAS, Charles F. Bosley was elected at the August election, 1864, sheriff of Washington county, and was duly commissioned, but did not qualify as such within the time prescribed by law, on account of the disturbed condition of the country at that time, but has since qualified as such, and executed the bonds required by law; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the qualification of Charles F. Bosley, as sheriff of Washington county, and the official bonds executed by him at a called term of the Washington county court, held in March, 1865, shall be, to all intents and purposes, as valid as though the same had been done and executed within the time now prescribed by law.

§ 2. That all the official acts of said Bosley, as sheriff as aforesaid, done by him or his deputies, since the first Monday in January, 1865, are hereby legalized, so far as they could have been deemed illegal by reason of his failure to qualify within the time prescribed by law.

§ 3. This act shall take effect from its passage.

Approved May 24, 1865.

CHAPTER 1484.

AN ACT to extend the limits of the Town of Cromwell, in Ohio County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the limits of the town of Cromwell, Ohio county, be so extended as to include all the land within the following boundary: Beginning at the corner of the lands of Jas. Shields and Beverly Haddy, on Green river; thence with said line to the Hartford road; thence with said road to the line of R. J. B. Plumer; thence with said line to Green river; thence up Green river to the beginning.

§ 2. This act shall take effect from its passage.

Approved May 25, 1865.

1865.

CHAPTER 1485.

AN ACT legalizing assessment of tax in Grayson County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the assessment made by Simeon Crawford and his deputies, for the year 1865, in the county of Grayson, of taxable property for revenue and county purposes, be, and the same is hereby, legalized, when received by the county court of said county.

§ 2. This act to take effect from the date thereof.

Approved May 25, 1865.

CHAPTER 1486.

AN ACT for the benefit of the Administrators of James R. Hughes, late Clerk of the Union Circuit and County Courts.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the administrators of James R. Hughes, deceased, late clerk of the Union circuit and county courts, be, and they are hereby, allowed the further time of two years, from and after the passage of this act, to collect his fee bills as clerk of said courts, and shall have power to distrain for the same.

§ 2. That nothing in this act shall be construed as exempting them from the penalties for issuing illegal fee bills.

§ 3. This act shall take effect from its passage.

Approved May 25, 1865.

CHAPTER 1487.

AN ACT for the benefit of E. B. Caldwell, late Sheriff of Lincoln County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That E. B. Caldwell, late sheriff of Lincoln county, be, and he is hereby, allowed the further time of two years to collect his uncollected taxes and fee bills, with power to distrain for the same: *Provided*, That he shall be subject to all the pains and penalties for collecting illegal taxes and fee bills.

§ 2. That this act take effect from its passage.

Approved May 25, 1865.

CHAPTER 1488.

1865.

AN ACT for the benefit of Isaac Radley, late Sheriff of Hardin County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That Isaac Radley, late sheriff of Hardin county, have the further time of two years, from and after the passage of this act, to collect all his arrearages of tax and fee bills due him as sheriff aforesaid ; and that he have power to distrain for the same, he and his sureties being liable for all illegal distraints.

§ 2. This act to take effect from its passage.

Approved May 25, 1865.

CHAPTER 1489.

AN ACT to amend an act, entitled "An act for the benefit of Rosa, a slave," Chapter 1014.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That an act, entitled "An act for the benefit of Rosa, a slave," chapter 1014, be, and the same is hereby, so amended as to read "Caldwell" instead of "Lyon county," and "Woods, Lewis & Co., of Stewart county, Tennessee," instead of "said county," and the "county court of Caldwell county" instead of "Lyon county."

§ 2. This act to be in force from its passage.

Approved May 25, 1865.

CHAPTER 1490.

AN ACT for the benefit of John Ballard, sr., of Oldham County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer for the sum of one hundred and fifty dollars, in favor of John Ballard, sr., of Oldham county.

§ 2. This act shall take effect from its passage.

Approved May 25, 1865.

1865.

CHAPTER 1491.

AN ACT for the benefit of Philip Darnall, late Sheriff of Marshall County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That said Darnall shall be allowed the further time of two years in which to list his fee bills and the taxes due to him as sheriff of said county for collection ; and said fee bills and claims for taxes shall be collected in the same manner, and by the same officers, and under the same liabilities, as other fee bills and taxes are now by law allowed to be collected ; and they shall have the same distrainable force of other like claims ; and this act shall be in force from its passage.

Approved May 25, 1865.

CHAPTER 1492.

AN ACT for the benefit of the Assessor of Washington County.

WHEREAS, The assessor of Washington county was unable to complete the assessment of said county for the year 1865 in the time prescribed by law, by reason of portions of said county having been infested with bands of guerrillas ; wherefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That Leonard H. Sea, the assessor of Washington county, be allowed until the first Monday of June, 1865, to make out and return to the clerk's office of the Washington county court the commissioner's book for the year 1865.

§ 2. This act shall take effect from its passage.

Approved May 25, 1865.

CHAPTER 1493.

AN ACT to furnish Metcalfe County with certain books.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the Secretary of State be, and he is hereby, directed to furnish the clerk of the circuit court of Metcalfe county, for the use of said county, one copy of Stanton's Revised Statutes, the acts of the General Assembly from the year eighteen hundred and fifty-nine to the year eighteen hundred and sixty-three ; one copy of the Codes of Practice ; one copy of Monroe & Harlan's Digest, and a complete set of the Kentucky Reports ; and if any of the aforementioned books are not on hand, belonging to the State of Kentucky, it shall be the duty of the Secretary to

purchase the same on the best terms possible, and certify the costs thereof to the Auditor, who shall draw his warrant on the Treasurer for the amount thus certified, in favor of the person entitled to the same.

1865.

§ 2. It shall furthermore be the duty of said Secretary to furnish the clerk of the county court of said county with all the aforesaid books, except the Kentucky Reports.

§ 3. This act to be in force from its passage.

Approved May 25, 1865.

CHAPTER 1494.

AN ACT for the benefit of Duval English, Clerk of the Owen County Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Duval English, clerk of the county court of Owen county, be allowed the further time of two years from the passage of this act to list for collection his uncollected fee bills, and distrain for the same, any law to the contrary notwithstanding: *Provided, however,* That the said Duval English shall, in all other respects, be subject to the laws now in force in regard to the issuing and collecting illegal fee bills.

§ 2. This act to take effect from its passage.

Approved May 25, 1865.

CHAPTER 1495.

AN ACT for the benefit of Fayette County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That to enable the county court of Fayette county to repair and improve the court-house of said county; the said court is hereby authorized and empowered to levy an *ad valorem* tax of not exceeding fifteen cents on each one hundred dollars of the real and personal property of said county which is now by law subject to taxation for railroad purposes in said county: *Provided,* That two thirds of all the members composing said court shall agree thereto: *And provided further,* That at the next August election a poll shall be opened at each of the voting precincts in said county for and against said proposed tax; and if it shall appear at the close of the polls that a majority of all the voters of said county, who may have to pay said tax, have voted in favor of it, then the said court may proceed to levy the same; but if not, then this act shall be void.

§ 2. This act shall take effect from its passage, and be in force for three years and no longer.

Approved May 25, 1865.

1865.

CHAPTER 1496.

AN ACT for the benefit of the Executor of William Ricketts.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time of two years be allowed Milton Mann, executor of William Ricketts, to list and collect the uncollected fee bills of said Ricketts.

§ 2. That said executor be, and is hereby, authorized to issue and sign such fee bills of said Ricketts as may not have been issued and signed by him: *Provided, however,* That said executor and his sureties shall in all other respects be subject to the laws now in force in regard to issuing and collecting illegal fee bills.

§ 3. This act to take effect from its passage.

Approved May 25, 1865.

CHAPTER 1497.

AN ACT for the benefit of the Muldrough's Hill, Campbellsville, and Columbia Turnpike Road Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the president and directors of the Muldrough's Hill, Campbellsville, and Columbia turnpike road company shall have power to collect full toll upon said road, notwithstanding the bridge over Green river has been burned: *Provided,* That they shall rebuild said bridge as soon as practicable.

§ 2. That the said company may establish a ferry at or near where the said bridge formerly stood, and charge the same tolls for ferriage as ferries are now allowed by law to charge; and the tolls so charged, after paying the expenses of said ferry, shall be applied to the rebuilding of said bridge, or paying the debt of the company created for that purpose.

§ 3. That to enable said company to rebuild said bridge, they are authorized to borrow, if necessary, money upon the faith of the road, at any rate of interest not to exceed eight per cent. per annum, and give the bonds of the road for the same, signed by the president and countersigned by the treasurer, and to apply all the surplus tolls to the payment of said money.

§ 4. This act to take effect from its passage.

Approved May 25, 1865.

CHAPTER 1498.

1865.

AN ACT to authorize the city of Paris to raise by taxation a fund for the support of Public Schools.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the mayor and council of the city of Paris be, and are hereby, authorized and empowered to levy annually an additional *ad valorem* tax, not exceeding the rate of twenty-five cents on each one hundred dollars' worth of the assessed property within said city; which tax shall be collected in the same manner, and by the same officer, that other taxes are by law authorized to be collected in said city.

§ 2. And that the fund so collected shall be kept by the treasurer of said city distinct and separate from all other funds, and shall be expended under the control and direction of the board of councilmen of said city only for the support and maintenance of public city schools.

§ 3. This act shall take effect from its passage.

Approved May 25, 1865.

CHAPTER 1499.

AN ACT to incorporate the Golden Era Petroleum Coal, Oil, Refining, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. H. Lape, R. T. Baker, and Jacob Hawthorne, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name, style, and title of the "Golden Era Petroleum, Coal, Oil, Refining, Mining, and Manufacturing Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, sue and be sued, to plead and be impleaded, in the Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary for the government of said corporation, not being contrary to the laws of this State or of the United States. The capital stock of said company shall be one million of dollars, in shares of fifty dollars each, and may be increased or diminished at pleasure fifty per cent. by a vote of the majority of the stockholders at any time, upon a notice of ten days; said company may, however, commence operations as soon as five thousand dollars capital stock is subscribed and fifty per cent. thereof paid in; and the remaining portion of said capital

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stock may be issued and sold by the board of said directors of said company at such times as may seem to them best.

§ 2. The said company shall have the power to purchase, lease, and negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: To explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same and other products of land now owned by them, or either of them, or which may be hereafter owned by them, or either of them; to purchase or build any boats, wharves, roads, and other necessary improvements and machinery for carrying on said business; to erect all necessary buildings for its transactions and connected with its business; to hold such mining rights, and rights of way and real estate, as they may deem necessary for the successful prosecution of their business; and the same, or any part thereof, to sell or otherwise to dispose of as the interest of said company may require.

§ 3. For conducting the affairs of said company a board of five directors shall be chosen; said board shall choose one of its number, who shall be president of said company; and said board shall serve for one year, or until their successors shall be elected and qualified; the president and directors shall have power to appoint all officers, agents, and laborers under them, and remove them at pleasure. In all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy; the stock of said company shall be deemed personal estate; in the absence of the president the board may appoint a president pro tem.

§ 4. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

§ 5. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow, or obtain on loan, such sums of money, and on such terms as they may deem expedient, for the use of said company, and to pledge or mortgage all or any part thereof of estates, improvements, privileges, effects, and assets of said company for the repayment of said business and sums of money so borrowed, from time to time, as may be agreed upon.

§ 6. In the event of the failure of any stockholder refusing or neglecting to pay his amount of stock, the share or shares of said stockholder may be forfeited by the president and directors, or they may sue and recover the same.

§ 7. Said company shall have, possess, and enjoy all rights, powers, privileges, and immunities conferred by

law in this State upon any other company chartered for similar purposes, and not named in this charter. 1865.

§ 8. This act shall take effect upon its passage.

Approved May 25, 1865.

CHAPTER 1500.

AN ACT to incorporate the Spencer County Salt, Petroleum, Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. R. Thomas, T. J. Baker, A. C. Kincheloe, J. R. Allan, R. Cochran, Milton McGrew, and J. B. Cochran, and their associates and successors, be, and they are hereby, created a body corporate and politic, by the name of "The Spencer County Salt, Petroleum, Oil, Mining, and Manufacturing Company," with all the powers and authority incident to corporators and corporations, for the purposes hereinafter mentioned; and with all the general and special powers, privileges, and immunities which have been, and may be, granted by this General Assembly to any corporation or corporations chartered for similar purposes. Corporators' names, and corporate powers.

§ 2. The corporation is hereby authorized and empowered to purchase, sell, hold, dispose of lands, in fee simple and by lease, for mining and boring for petroleum and other oils and minerals of whatsoever kind, and to manufacture, refine, transport, and vend the same. May hold lands

§ 3. The capital stock of the corporation shall be five hundred thousand dollars, and shall be divided into shares of not less than five nor more than five hundred dollars each; which shares may be issued and transferred in such manner, and upon such conditions, and under such rules of forfeiture for non-payment of call and assessments, as the board of directors of such corporation may direct; and the liability of shareholders shall extend to, and be limited by, the amount of stock held by them respectively. Capital stock.

§ 4. The affairs of said corporation shall be managed by three or more directors, one of whom shall be president, and all of whom shall be stockholders in said corporation. The first board of directors shall consist of the above named corporators, who shall continue in office for one year, or until their successors are elected by a majority in interest of the stockholders of said corporation, which said corporation may exist in perpetuity; and the directors thus elected, and their successors in perpetual succession, shall continue in office for one year, and until their successors are elected and enter upon their duties. If any of the above Who to manage first board, &c.

1865.

Vacancies.
By-laws.May open
books.

Right of way.

May build
roads.Office where
kept.

named directors shall decline or refuse to act, a majority of those remaining shall have power to fill such vacancy. They may adopt such by-laws and rules for the government of the corporation, and management of its affairs, as they may deem proper, not inconsistent with the constitution of the United States. The said corporators, or any of them, may open books for, and receive subscriptions to, the capital stock of said company hereby incorporated, at such times and places, upon such notices, and coupled with such conditions, as the board of directors may determine. The board of directors of such corporation may fill all vacancies occasioned by death, resignation, or otherwise; they may make such calls for the payments of stock as they may deem proper, and in the event of non-payment may forfeit the stock of the defaulting shareholder, or collect the same by suit at law, as they may elect.

Right of way is hereby granted to said corporation on any lands, and on and along any water courses, within the State, with power and authority to condemn the same to their use, in the same manner, and subject to such restriction, as are and have been given to and imposed upon any corporation hereto chartered by the General Assembly of Kentucky; and with power and authority to construct and operate over the right of way thus granted common and turnpike roads and railroads, and to build and maintain, on and along such water courses locks and dams, and other fixtures and appliances, for slack water navigation, to and from and between the site or sites of their mines and oil wells, and the markets for the sale and storage of their products, and to any navigable waters within and bordering upon the State; with the right, power, and authority, when such roads, railroads, and improved navigation shall be used by any other party or parties, for travel or traffic, to charge for such use such reasonable rates of toll or carriage as the board of directors may determine, not exceeding the rates permitted by law to be charged by other corporations specially chartered for, and authorized to furnish and perform, similar facilities and services. The board of directors may keep their office or offices at such place or places as the interests of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such other officers as they may deem necessary, and fix their compensation, and by their by-laws regulate the mode of keeping their records, to insure a just exhibit and administration of their affairs.

§ 5. Nothing contained in this charter shall be construed as conferring banking privileges upon the corporation.

§ 6. This act to take effect from its passage.

Approved May 25, 1865.

CHAPTER 1501.

1865.

AN ACT to incorporate the Raywick Oil, Mining, Manufacturing, and Shipping Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That George Washington Anderson and Dr. Wm. K. Mitchell, their associates, successors, and assigns, be, and are hereby, constituted a body corporate and politic, by the title of "The Raywick Oil, Mining, Manufacturing, and Shipping Company," with perpetual succession, and with power to contract and be contracted with, to sue and be sued, in that name, in all courts and places; to have a common seal; to engage in the mining of rock oil or petroleum, salt water or other minerals, on lands leased by them, or which may be hereafter leased or purchased by them, in Marion, Taylor, or any of the adjoining counties; with the right of transportation of all mineral products mined by them; with the right to hold meetings in the State, and to exercise all authority, and to have all power needful for the successful prosecution of their business, not inconsistent with the State or United States laws, and for the execution of powers herein granted.

Corporators' names, and corporate powers.

§ 2. That said corporators may organize said company by the appointment of a president and five directors, and such other officers and servants as they may deem fit, at such time and place as they may designate, by notice previously given; and, when organized, said company shall have power to make such by-laws, rules, and regulations, deemed necessary from time to time, for the government, management, and prosecution of the business of said company, and to enforce the same, not in conflict with the laws of this State or of the United States.

Directors, president, &c.

By-laws.

§ 3. The capital stock of said company shall be five hundred thousand dollars, and may be increased by the company to one million of dollars, and may be divided into shares of twenty-five dollars each.

Capital stock.

§ 4. Each stockholder shall be entitled to as many votes as he owns shares in said company, which may be given *viva voce* or otherwise.

Votes.

§ 5. Said company may build, buy, and own boats for the use of their business; and may dispose of their property, or any portion of it, by sale or otherwise; they may receive real estate or mining privileges in payment of such part of their stock as they may deem advisable; and shall have the power to hold, either by purchase or otherwise, such real estate, mining privileges, rights of way, or other property, as may be thought expedient by them for the successful prosecution of their business, and to dispose of

Further powers.

1865.

May borrow
money.

the same, or any part thereof, as the interest of the company may require.

§ 6. That it shall be lawful for the president and directors of said company, from time to time, to borrow or obtain on loan such sums of money, and on such terms, as they may deem expedient for the prosecution of the business of said company: *Provided*, The president and directors shall never permit the liabilities of said corporation to exceed the one half of its capital stock, and to pledge or mortgage any part of the real estate, improvements, privileges, effects, or assets whatever of said company for the repayment of said sums so borrowed, on such terms as may be agreed upon.

May build
railroad.

§ 7. Said company shall have power to build railroads and such other passways through their lands as they may deem necessary, and through the lands of others, if the consent of the owners can be obtained.

Record to
be kept.

§ 8. Said company shall keep a record of all their business transactions, which shall be subject to the examination of any stockholder or creditor, and allow extracts of the same to be taken by those interested in the same.

§ 9. That said company shall possess and enjoy all powers, rights, and privileges which are right, necessary, and proper, to carry out the objects of this association.

§ 10. That this act shall take effect from and after its passage.

Approved May 25, 1865.

CHAPTER 1502.

AN ACT to amend the act of March 1, 1865, to amend the charter of the Louisville Masonic Fraternity.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the act, approved March 1, 1865, to "amend the charter of the Masonic Fraternity of Louisville, approved February 2, 1860," be so amended as to authorize said corporation to have six directors instead of four, in addition to the one appointed by the Grand Lodge, as provided for in said amendment of March 1, 1865.

§ 2. That the present board shall have power to appoint the two additional directors, who shall serve until the next annual meeting of the stockholders of said corporation, when they shall elect six instead of four directors, as provided for in said amendment.

§ 3. This act shall take effect from its passage.

Approved May 25, 1865.

CHAPTER 1503.

1865.

AN ACT for the benefit of John Walden, of Estill County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor be, and he is hereby, directed to draw his warrant on the treasurer for the sum of thirty-seven dollars and fifty cents, in favor of John Walden, of Estill county.

§ 2. This act to take effect from its passage.

Approved May 25, 1865.

CHAPTER 1504.

AN ACT to amend the act, entitled "An act to incorporate the Southern Kentucky Coal, Mining, and Transporting Company," approved February 22, 1860.

WHEREAS, By an act approved February 22, 1860, entitled "An act to incorporate the Southern Kentucky Coal, Mining, and Transporting Company," Messrs. N. L. Cooke, H. A. McMullen, George W. Beatty, and H. R. Warfield, were constituted a body-politic and corporate, by the name and title of the Southern Kentucky Coal, Mining, and Transporting Company; and whereas, it appears that said N. L. Cooke, H. A. McMullen, George W. Beatty, and H. R. Warfield have assigned all of their right, title, and interest in and under said charter to William H. Law, John Law, Marvin A. Lawrence, M. R. Anthes, Andrew M. Allen, and Azro Dyer; and whereas, some doubt has arisen in respect to said act, whether by the terms thereof power was granted to bore for oil and petroleum; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the act, entitled "An act to incorporate the Southern Kentucky Coal, Mining, and Transporting Company," approved February 22, 1860, be so amended as to confer, in addition to the powers already granted by said act, the privilege of boring and sinking wells for oil and petroleum, at any place in the State of Kentucky, or in the United States, where said company shall have the legal right so to do; with the further privilege of transporting the same to market.

§ 2. That all of the rights, powers, and privileges granted by said act to N. L. Cooke, H. A. McMullen, George W. Beatty, and H. R. Warfield, the original corporators in said act, are hereby given and granted to William H. Law, John Law, Marvin A. Lawrence, M. R. Anthes, An-

1865.

drew M. Allen, and Azro Dyer, the assignees of said original corporators under the act aforesaid.

§ 3. This act shall take effect from and after its passage.

Approved May 25, 1865.

CHAPTER 1505.

AN ACT to incorporate the Society of the Alumni of the Male High School, of Louisville.

WHEREAS, The graduates of the Male High School, of Louisville, desirous of perpetuating their interest in their *Alma Mater* have organized themselves under the name of "The Society of the Alumni of the Male High School, of Louisville;" therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That "The Society of the Alumni of the Male High School, of Louisville," consisting of E. A. Grant, G. W. Morris, James S. Pirtle, A. S. Willis, Edward Y. Parsons, Diller Thompson, Thomas Timberlake, and others, be, and is hereby, incorporated and made a body-politic.

§ 2. That the said society, at its next regular meeting, shall have power to organize under this charter, adopt by-laws, and elect such officers as may be required to carry out its object; and the society shall, at that time, elect a board of trustees of six of its members, to hold office for five years or until their successors are elected.

§ 3. That the said Society of the Alumni shall have power to acquire by purchase, and hold any estate, real, personal, and mixed; and to take, receive, and hold any money, goods, lands, or tenements, which may be given, granted, or devised to said society; and the board of trustees may sell, dispose of, and convey the same, according to the provisions of the by-laws which may be hereafter established by said Society of the Alumni.

§ 4. That the said society shall have the right to have and use a common seal, and to do all acts incident to its character and necessary for its object, not inconsistent with the powers herein granted.

§ 5. That this act shall take effect from its passage.

Approved May 25, 1865

CHAPTER 1506.

1865.

AN ACT to charter the Island Oil and Salt Manufacturing Company,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That James Guthrie, J. W. Davis, Andrew Bacon, and Thos. J. S. Johnson, and their associates and successors, are created a body-politic and corporate, by the name and style of the "Island Oil and Salt Manufacturing Company," and by and in said name, as a chartered corporation, may sue and be sued, plead and be impleaded, in all respects, in any court of law or otherwise, as natural persons; and may contract and be contracted with, by deed or other writing, or by parol or by operation of law; and purchase, sell, hold, convey, and dispose of real and personal estate in this Commonwealth or elsewhere, not exceeding in value five hundred thousand dollars; and in their corporate capacity may dig, bore, and search for, make, and manufacture oil out of coal, or otherwise; and dig for, search, and make, or manufacture salt upon any land within this State owned or rented or leased by said company; and provide all proper and necessary means, by railroad or otherwise, to convey the same to market, and to sell and dispose of the said oil and salt; and may, under the laws of this Commonwealth, condemn land for railroad tracks and stations and depots to facilitate and carry on the business of said company, in manufacturing oil and salt and selling the same; and may establish a seal, or act without a seal, as said company, or board of managers, may determine.

Corporators' names, and corporate powers.

§ 2. That the capital of said company shall not be more than five hundred thousand dollars, and shall not be less than fifty thousand dollars; and said corporators, and their associates and successors, may, from time to time, increase said capital stock to said sum of five hundred thousand dollars; each share of said capital stock shall be one hundred dollars, and be personal property, and transferable on the books of the company.

Capital stock.

§ 3. The said company may, by said corporators, their associates and successors, or managers elected by them, pass, adopt, or ordain any by-laws, rules, or regulations they may consider proper or necessary to carry into force and effect this charter, and issuing certificates of stock, and for the good management and care of the fiscal and prudential affairs and interests of said company. The company, or managers thereof, may employ and control and direct any agent or agents, or other person or persons, to do and perform any and all of the work, labor, or business of said corporation, and to manage and to attend to the affairs thereof as officers, or otherwise.

May make by-laws.

1865.

Regulate election of officers.

May require bond.

§ 4. The said company may, from time to time, direct by their by-laws, rules, or regulations, the time and place of the election of their officers, agents, and factors, and the time they are to continue in office or employ of the company, and may require bond and surety of any of said officers, agents, or factors faithfully to discharge his or their duties, under such penalty as may be fixed by said company or its managers; and said company has power and authority, by the by-laws thereof, to do any and all things needful, proper, or necessary to manage and control and direct all and any matter or thing connected with the business of the corporation.

Regulate subscriptions of stock.

§ 5. That the said company, by the corporators, and their successors and associates, or by the managers of said corporation, may pass by-laws to receive subscriptions of stock, on such terms and conditions as may be established by such by-laws, and to declare the stock of any stockholder forfeited who shall fail or refuse to comply with the terms of subscription on which said stock is taken.

§ 6. This charter shall be in force twenty years from and after the day the said company is organized; and this act shall take effect from its passage.

Approved May 25, 1865.

CHAPTER 1507.

AN ACT to amend the Road Law of Kenton County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road law of Kenton county be so amended that the report which, by the 5th section of the "Act to amend the road law in Kenton county," approved February 19th, 1842, is required to be made by the surveyor to the county court at their May term, shall be made at the September term of said county court in every year.

§ 2. That this act shall take effect from its passage.

Approved May 25, 1865.

CHAPTER 1508.

AN ACT to incorporate the Union County Petroleum, Coal, and Iron Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Thomas P. Hughes, Thomas Slevin, Henry Dent, Andrew Low, John G. Baxter, Philip Speed, and W. K. Thomas, or any five (5) of them, their associates, successors, and assigns, be, and they are hereby, constituted

1865.

and created a body-politic and corporate, by the name and style of the "Union County Petroleum, Coal, and Iron Company," and by that name to have perpetual succession, for the purpose of boring for oil, manufacturing and refining oil, mining coal and iron ores, manufacturing iron, lumber, and cooperage, and for transacting all the usual and necessary business of companies in mining, manufacturing, transporting to market, and selling of oil, coal, ores, and other products; and the same corporation, by the said name, may sue and be sued, plead and be impleaded; may have and use a common seal, and alter the same at pleasure; make rules and by-laws for the management of the company not inconsistent with the laws of the State of Kentucky or the United States.

§ 2. That the capital stock of said company shall be five hundred thousand dollars (\$500,000), and be divided into shares of ten (10) dollars each, which said shares shall be represented by proper certificates of stock, signed by the president and secretary of the company, and under the corporate seal; and said shares shall be deemed and held in law to be personal property, transferable by assignment or otherwise, as may be provided by the by-laws of said company. Capital stock.

§ 3. That the business, property, and affairs of said company shall be managed and controlled by a board of five (5) directors, to be chosen by the stockholders, at such times, and under such regulations, as shall be prescribed by the by-laws of said company, each stockholder being entitled to give at every such election, either in person or by proxy, as many votes as he holds shares of stock: *Provided*, That the first election of directors under this charter may be made by the corporators named in the first section of this act, and their associates, who become joint owners of the property and rights of said company; and at such elections each corporator and joint owner shall have one vote. To be managed by directors, & how chosen.

§ 4. That said directors shall hold their office for one year, and until their successors shall be duly elected and qualified; they shall elect a president, secretary, and such other officers as may be required to manage successfully the affairs of said company, who shall hold their office for one year, and until the appointment of their successors; all vacancies in the directory or affairs of the company may be filled by the directors at any meeting called for the purpose; a majority of the board of directors shall constitute a quorum for the transaction of business. Term of office.

§ 5. That said company shall have the right to acquire or hold, by purchase or lease, any and all such lands, tenements, oil rights, coal rights, ore rights, mining rights, and appurtenances, rights of way, buildings, real, personal, Officers to be appointed.

Vacancies.

May hold real estate.

1865.

or mixed property, as they may deem necessary for the well-being and success of said company; and the same, or any part thereof, to use and occupy said lease, sub-lease, or otherwise dispose of, as the directors or company may, from time to time, see proper; and to enter into and make any and all such arrangements, contracts, deeds, and obligations, as may be requisite and proper in the prosecution of the business of said company.

May acquire
right of way, &
how.

§ 6. That if the said company, in mining or manufacturing oil or iron, or in transporting the same or any products of their mines, oil wells, or manufactures to market—that is, to the Ohio river or such other place as the interest of the company may require—shall desire to have a right of way, landing place, or depot condemned for their use within this State, upon the application to the county court of the county in which said right of way, landing place, or depot may be situated, the said court shall make an order appointing viewers, and shall proceed in all respects as in cases of application to establish public highways under the existing laws of this State, and shall, upon receiving the report of the viewers, order a writ of *ad quod damnum*, and cause to be condemned as lands are condemned for public highways and such rights of way, not exceeding one hundred feet in width, or such landing place or depot, not exceeding two acres: *Provided*, That in said application the said company shall, as near as may be, describe the land proposed to be viewed and condemned; and upon the return of the writ and request of the jury, the said court shall, upon the payment of the damages assessed by the jury to the owner or owners of the land, or upon the payment thereof into court by the said company or its agents, make an order condemning and establishing such right of way, landing place, or depot as aforesaid, for the use, enjoyment, and occupancy of the said company.

§ 7. This act to take effect from and after its passage.

Approved May 25, 1865.

CHAPTER 1509.

AN ACT to charter the Crittenden County Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That G. W. Fulton, Thomas A. Scott, N. Clifford Neff, L. Devenny, and Sam'l C. Casey, and their associates, be, and they are hereby, created a body-corporate and politic, by the name and style of the "Crittenden County Petroleum and Mining Company," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be implead-

ed, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company not inconsistent with the constitution and laws of this State or of the United States.

1865.

§ 2. The capital stock of said company shall not exceed three millions of dollars, which may be divided into shares, subscribed and paid for in such manner, as said company may by its by-laws prescribe. Capital stock.

§ 3. That said company shall have power to appoint any one or more of its members, or other persons, to manage, control, and direct the business of said company, according to the by-laws, rules, and regulations which said company may adopt. Who to manage affairs of corporation.

§ 4. That said company may acquire and hold such real and personal estate, by contract or otherwise, as they may deem necessary or proper for the carrying on the mining of coal, iron, lead, or other minerals; the procuring and manufacture, or refining of oil, salt, and lumber, and the transportation thereof to market; together with such quantities of land as may be necessary for the establishment of mills, machinery, depots, and landings for the same; to build railroads or slack water navigation necessary to convey the products of their mining or manufacturing operations to market; and if such land or right of way cannot be otherwise obtained, said company may have the same condemned, by filing its petition for that purpose with the clerk of the county court of the county in which such land may be situate, and obtaining thereon the necessary writs of *ad quod damnum*, as required by law in the condemnation of lands for the use of turnpike roads: *Provided, however*, That no property shall be so taken without the value thereof having been first paid or tendered. May hold real estate.

§ 5. That said company may build, buy, and own boats for the use of their business, and may dispose of their property, or any portion of it, by sale or otherwise; they may receive real estate or mining privileges in payment of such part of their stock as they may deem advisable, and may dispose of the same, or any part thereof, as the interests of the company may require. Further powers.

§ 6. That it shall be lawful for the president and directors of said company, from time to time, to borrow, or obtain on loan, such sums of money, and on such terms, as they may deem expedient for the prosecution of the business of said company: *Provided*, Such sum or sums shall never exceed the one half of its capital stock; and to pledge or mortgage any part of the real estate, improvements, privileges, effects, or assets whatever of said company for the repayment of said sums so borrowed, on such terms as may be agreed upon. May own boats.

May borrow money.

1865.

Record of
names of stock-
holders to be
kept.

§ 7. That said company, when fully organized, shall cause a book to be opened and kept subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares or amount of stock owned by each; and the said shares may be transferred in the manner to be prescribed by the by-laws of said company.

Privileges of
corporation.

§ 8. That said company shall possess and enjoy all powers, rights, and privileges which are right, necessary, and proper to carry out the objects of this association, or which have heretofore or may hereafter be granted to mining and manufacturing associations in this State.

May carry on
business out of
State.

§ 9. That this company shall have power to pursue its business outside of the State of Kentucky, so far as the laws of any other State in which they may wish to operate may permit.

§ 10. That this act shall take effect from and after its passage.

Approved May 26, 1865.

CHAPTER 1510.

AN ACT for the benefit of F. G. Sasseen, Assessor of Graves County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That F. G. Sasseen, assessor of Graves county, be, and is hereby, allowed the further time, till the first day of October next, to complete and return his books for the years of 1864 and 1865.

§ 2. This act shall take effect from its passage.

Approved May 26, 1865.

CHAPTER 1511.

AN ACT to amend an act to incorporate the Saving and Deposit Bank, in the City of Louisville, called the "Union Bank."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the proviso to section four, of the act incorporating the deposit and saving bank in the city of Louisville, to be called the "Union Bank," be, and the same is, repealed; and the name of W. C. Hite is substituted for W. L. Hite, in the second section of said act.

§ 2. This act shall take effect from its passage.

Approved May 26, 1865.

CHAPTER 1513.

1865.

AN ACT to incorporate the Jefferson Bank of Deposit.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Jesse Bayles, Thomas W. Gibson, and Lewis F. Van Buren, of the city of Louisville, and their successors and associates, be, and are hereby, declared to be, for the term of twenty years next ensuing after the passage of this act, a corporation, under the name of the "Jefferson Bank of Deposit," with power to sue and be sued, contract and be contracted with, deal in bills of exchange, promissory notes, bonds, government vouchers, gold and silver, and exchange, and all other evidences of debt; to loan and borrow money, and generally to do and perform all business usually done by banking associations and corporations, except issuing notes or bills to be used as a circulating medium, which is hereby prohibited: *Provided*, That no greater interest than at the rate of six per centum per annum shall be demanded or received by said bank on the loan of money.

Corporators names, and corporate powers.

§ 2. The capital stock of said company shall consist of one hundred thousand dollars, which may be increased by order of the directors of said company to three hundred thousand dollars, and shall be divided into shares of one hundred dollars each.

Capital stock.

§ 3. The officers of said company shall consist of a president, cashier, and board of directors; the number of directors, and the manner and time of electing them, and the president and cashier, shall be fixed by by-laws, to be enacted by the corporators above named; but may be changed from time to time by the directors subsequently elected.

Officers of company. Number of officers to be fixed by the by-laws.

§ 4. The manner and time and terms of subscribing stock, and mode and time of paying the same, shall be provided for by the by-laws enacted by said corporators, or their successors, the duly elected directors of said corporation.

Stock regulated.

§ 5. Said company may receive collaterals to secure any debt due them or loan made by them; and such collaterals may be subjected by proper judicial proceeding to the satisfaction of such debts.

May receive collaterals.

§ 6. That the president shall, on or before the first day of July, of each and every year, pay into the treasury of the State a tax of fifty cents upon each one hundred dollars of stock subscribed and paid up in full; and the same shall be in lieu of all other taxation.

State tax.

§ 7. This act is declared to be in force from and after its passage; and the corporators above named shall have

1865. all the power and authority of directors until their successors are elected.

Approved May 26, 1865.

CHAPTER 1514.

AN ACT to amend an act, entitled "An act to incorporate the Dry Run Oil Company," approved March 1, 1865.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the 4th section of an act, entitled "An act to incorporate the Dry Run Oil Company," approved March 1, 1865, be, and the same is hereby, repealed, and in lieu thereof the following is enacted: That said George F. Tyler, John Donalson, Charles F. Shorer, and E. Bordo, or any two of them, are hereby appointed commissioners to open subscription books for stock in said corporation, at such place in the city of Louisville, Kentucky, and at such place in the city of Philadelphia, Pennsylvania, and at such place or places in any other city or cities, town or houses, in the United States, or any one of said cities or towns, as they may choose to designate, by advertisement in a public newspaper published at said city or town, or any of them, where said books may be opened for ten days before the day fixed for opening said books; and on the day and at the place fixed in said advertisement, said commissioners, by themselves or their lawfully authorized agents, shall cause said books to be opened for subscription to said stock, and keep the same open for at least one day, unless all the stock shall have been sooner subscribed; and should the stock not all be subscribed at the first opening, they may, after like advertisements, from time to time, again open them for subscription, until all the stock shall have been taken; and said commissioners shall require, at the time of subscription, that a deposit be made by each subscriber of at least fifty cents on each share of stock for which he subscribes.

§ 2. This act shall take effect from its passage.

Approved May 26, 1865.

CHAPTER 1515.

AN ACT to incorporate the Big Bone Petroleum, Oil, Manufacturing, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William H. Baker and George Stealey, and their associates, successors, and assignees, be, and they are hereby, constituted a body corporate and politic, by

1865.

the name and style of "The Big Bone Petroleum, Oil, Manufacturing, and Mining Company," and by that name and style shall have perpetual succession, with power to contract and be contracted with, and sue and be sued, in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals; and in the manufacturing, refining, preparing for market, transporting and selling oil, salt, and other products of said business, and of the lands now owned, or which may hereafter be owned by them in this State; and of selling or assigning the personal or real estate or stocks of said company, as they may deem advisable; to hold their meetings, and transport and sell their oil, salt, and other products, within or without the State; and to have all the powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

§ 2. That said corporators may organize said company by the appointment of a president, and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given; and, when thus organized, the said company shall have power to make such by-laws, rules, and regulations, as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the constitution and laws of the United States or this State.

§ 3. The capital stock of said company shall be five hundred thousand dollars; and said company shall have power to increase the same, from time to time, not exceeding one million dollars.

§ 4. The said company may buy, lease, or rent any suitable lands, mines, oil, coal, and salt right lands and privileges, rights of way, and other property, necessary for their business; and may dispose of the same, or any portion of it, by sale or otherwise; they may receive real estate, leasehold, mining, and boring rights, and rights of way, in payment of such parts of the subscriptions as they may deem advisable; said company may erect and build on any of their lands such buildings, engines, machinery, and other fixtures, as may be deemed convenient and proper for carrying on and conducting the business of said corporation.

§ 5. That this act shall take effect from and after its passage.

Approved May 26, 1865.

1865.

CHAPTER 1516.

AN ACT fixing the rate of Tolls on the Louisville and Taylorsville turnpike road.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the rates of toll of the Louisville and Taylorsville turnpike road, payable at each of the six gates of said road, shall be as follows, and no more: For each horse, mule, jack, or jenny, in drove, the first ten, each five cents; for each horse, mule, jack, or jenny, in drove, over the first ten, each three cents; for each horse, mule, jack, or jenny, with rider, five cents; for each head of cattle, one cent; for each head of sheep, one half cent; for each head of hogs, one and one half cents; for each pleasure carriage, with two wheels and one horse or mule, ten cents; for each pleasure carriage, with two wheels and two horses or mules, ten cents; for each pleasure carriage, with four wheels and one horse or mule, ten cents; for each pleasure carriage, with four wheels and two horses or mules, fifteen cents; for each pleasure carriage, with four wheels and three horses or mules, twenty-five cents; for each pleasure carriage, with four wheels and four horses or mules, thirty cents; for each stage, with four wheels and two horses or mules, twenty-five cents; for each stage, with four wheels and four horses or mules, fifty cents; for each four-inch tire stage, with four wheels and four horses or mules, twenty-five cents. Broad and narrow-wheel wagons, carts, &c.: For two wheels and one horse, mule, jack, jenny, or ox, ten cents; for two wheels and two horses, mules, jacks, or jennies, ten cents; for four wheels and one horse, mule, jack, or jenny, ten cents; for four wheels and two horses, mules, jacks, or jennies, ten cents; for four wheels and three horses, mules, jacks, or jennies, twenty cents; for four wheels and four horses, mules, jacks, or jennies, twenty-five cents; for four wheels with five horses, mules, jacks, or jennies, thirty-five cents; for four wheels with six horses, mules, jacks, or jennies, forty cents; for four wheels with more than six horses, mules, or oxen, seventy-five cents. Farm wagons returning empty, one half of the above prices, to be ascertained by the number of horses, mules, or oxen driven in said wagons; on every sled or sleigh drawn by one horse, mule, or ox, five cents; every sled or sleigh drawn by two horses, mules, or oxen, ten cents; for every sled or sleigh drawn by four horses, mules, or oxen, fifteen cents; for each omnibus, or other vehicle not enumerated, with four horses, mules, or oxen, for the transportation of passengers and property of any kind, forty cents; same with three horses, mules, or oxen, thirty cents; same with two horses, mules, or oxen, twenty cents; for each dray with three

horses or mules, thirty cents; for each dray with two horses or mules, twenty cents; for each dray with one horse or mule, ten cents. 1865.

§ 2. That said company shall not demand, receive, or collect a greater rate of toll than allowed herein, and on the violation of this section by any of the toll-keepers of gates on said road, or any person for them, or any officer or employe of said company, the party aggrieved may, by suit before any justice of the peace within the district in which the gate at which the demand or collection is made, recover of said company ten times the amount of the excess of said toll demanded or received.

§ 3. That so much of the act passed at the last session of the Legislature, amending the charter of said road, as conflicts with this act, is repealed, and this act shall take effect from its passage.

Approved May 26, 1865.

CHAPTER 1517.

AN ACT to amend the charter of the town of Sardis, in Mason County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the charter of the town of Sardis, in Mason county, be so amended as to empower the trustees of said town, by their by-laws and ordinances, to impose an annual tax, not exceeding fifty dollars, upon all persons who may hereafter be licensed to keep a tavern in said town, and upon all persons who may hereafter be licensed to sell spirituous or vinous liquors by retail in said town, or within one half mile of the corporate limits thereof.

§ 2. Any one who shall sell spirituous or vinous liquors by retail within the limits prescribed in the first section, without having first paid the tax which said trustees may levy under the provisions of this act, shall be subject to a fine of twenty dollars for each offense, to be recovered upon a warrant, before a justice of the peace for Mason county, or the police judge of said town, in the name of the trustees of the town of Sardis, for the use of the town.

§ 3. This act shall take effect from and after its passage.

Approved May 26, 1865.

1865.

CHAPTER 1518.

AN ACT to incorporate the Salem Baptist Church, of Cumberland County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the members, and those who may hereafter become members, of the Salem Baptist Church, of Cumberland county, are hereby created a body corporate, by the name of "The Salem Baptist Church," and by that name shall have perpetual succession, and be capable of suing and being sued, and taking and holding, by contract or gift, real estate not exceeding ten acres, and personal and mixed estate not exceeding twenty thousand dollars: *Provided*, That the said members of said church may, by a vote of a majority of the same, invest the title to all estate now held by said church in the trustees hereinafter named and their successors in office.

§ 2. That the management of the concerns of said corporation is invested in John L. Cheek, Lemuel K. Baker, and James E. Baker, as trustees of said corporation, and their successors in office, duly elected by the members of said church; the aforesaid persons shall hold their said office for one year, and until their successors are elected and enter upon their duties as such; a majority of the trustees shall have full power to make all contracts pertaining to the real and personal estate of said church.

§ 3. The members of said church, or a majority of them, shall have power to make such by-laws as may be necessary for its government and the safe-keeping of its property and other interests of the church.

§ 4. The said trustees may have and use a common seal, and change the same at pleasure; in conveying or leasing any of its real estate, all of the trustees shall join.

§ 5. The General Assembly reserves the power to repeal or amend this act at pleasure.

§ 6. This act shall take effect from its passage.

Approved May 26, 1865.

CHAPTER 1519.

AN ACT to amend an act, entitled "An act to incorporate the Maysville Gas Company."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the act incorporating the Maysville Gas company, approved March 1st, 1854, be, and the same is hereby, declared to be in full force and effect, except as the same may be changed by the provisions of this act.

§ 2. That instead of the corporators named in the first section of said act, Soloman Salamon, and his associates, and their successors, shall have all the rights and privileges granted by the said act.

1865.

§ 3. That the said Soloman Salamon shall have power and authority to receive subscriptions of stock in said company as directed in the third section of said act; and may organize the company as provided for in the fourth section of said act, except that the stockholders shall elect a president and three directors to govern and conduct the affairs of the company; and the board of directors shall thereafter consist of a president and three directors.

§ 4. The Legislature reserves to itself the power to amend, modify, or repeal this charter.

§ 5. This act shall take effect from and after its passage.

Approved May 26, 1865.

CHAPTER 1520.

AN ACT for the benefit of Reuben H. Duncan.

WHEREAS, It appears to the General Assembly that Martha A. Henry, of Nicholas county, having raised Reuben H. Duncan from early infancy, and desires to adopt the said Reuben H. Duncan as her heir at law, and she having, in conjunction with her husband, Richard D. Henry, petitioned the General Assembly for the passage of a law to that effect; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That said Reuben H. Duncan be, and he is hereby, declared the sole heir at law of the said Martha A. Henry, and shall be entitled to all the rights and privileges, and subject to all the liabilities and responsibilities of an heir; and shall, at the death of said Martha A. Henry, inherit and take her estate as sole heir, if the said Martha A. Henry shall die intestate, and provided the said R. H. Duncan shall survive her; and in the event of the death of said R. H. Duncan prior to the death of said Martha A. Henry, then the estate shall pass and descend to, and be inherited by, any child or children born in lawful wedlock which said R. H. Duncan may have living at the death of said Martha A. Henry; and such child or children, in such event, are hereby declared the heir or heirs of said Martha A. Henry, if she shall die intestate as aforesaid.

§ 2. This act shall take effect from and after its passage.

Approved May 26, 1865.

1865.

CHAPTER 1521.

AN ACT for the benefit of Mary Ann Ford.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Mary Ann Ford, of Garrard county, be relieved of all disabilities of coverture in regard to any property she may now be entitled to by inheritance or otherwise, or which she may hereafter acquire, and contracts she may hereafter make; all such property, either in right of inheritance or acquisition aforesaid, shall be exempt from all liabilities or disposition of her husband; and she is hereby invested with all the powers of a *feme sole*.

§ 2. This act shall take effect from its passage.

Approved May 26, 1865.

CHAPTER 1523.

AN ACT transferring portions of the Bardstown, Glasgow, and Scottsville Turnpike Road to the Counties of Hart, Barren, and Allen.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State of Kentucky, without relinquishing the right and title it may have to the capital stock, property, rights, and franchises of the Bardstown, Glasgow, and Scottsville turnpike roads, consents that portions of said roads as are embraced in the counties of Barren, Hart, and Allen counties respectively, may not be kept, managed, and controlled by the president, managers, and company of said roads, as directed in the charters and by-laws of the companies; that the portions of said roads in the counties aforesaid respectively, shall be deemed and held to be ordinary highways in said counties, and shall hereafter be under the control and jurisdiction of the county courts of said counties respectively; which courts shall exercise over it all the powers, and be required to discharge all the duties, as in case of other roads: *Provided, however,* It may be discretionary with the county courts of the aforesaid counties through which said road passes, to erect gates and collect tolls thereat at the rates fixed by the Board of Internal Improvement, after putting the road in the condition required by the charters.

Approved May 26, 1865.

CHAPTER 1524.

1865.

AN ACT to amend an act, entitled "An act to incorporate the Town of Elizabethtown," approved February 2, 1850.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the trustees of Elizabethtown shall have power to own, possess, and keep in repair a reservoir and right of way, and sufficient land therefor, and procure and lay pipes, and erect reservoirs and fountains, from any well or spring, whether of medicinal or other water, to the public square of said town, and may make and erect such excavations and embankments, and such fixtures as may be necessary and proper for use or ornament for the same, and may obtain the proper materials and employ sufficient labor.

§ 2. The said trustees may raise subscriptions to accomplish said works, which said subscriptions may be enforced by law, by action in the name of said trustees.

§ 3. Whenever two thousand dollars are raised by subscription of solvent persons, the trustees may, upon ten days' notice at the court-house door in said town, stating their proposition within the purview of the first section, hold an election, at which the voters of said town may vote upon the question, "Shall the trustees tax the property and persons of said town to the extent of raising enough money to erect the water-works proposed, in addition to the amount subscribed?" and if a majority of those voting shall vote in favor of the tax, then the said trustees shall levy a tax sufficient for the same in such manner as to them may seem just and equitable; but in doing so no one who has made voluntary subscription shall be taxed until all others are taxed an amount equal to said subscription, in proportion to their property.

§ 4. The said trustees may acquire, by purchase or gifts, and receive conveyances for such property and right of way as may be necessary for the purposes aforesaid; and may have such property condemned by applying to the county court, as in cases of roads; but the right of way so condemned shall not be wider than eight feet.

§ 5. Any person who shall willfully break, injure, or destroy any of the works so erected, or materials therefor, may be punished by fine, or imprisonment in the penitentiary, at the discretion of a jury; the fines shall go into the treasury of the town.

§ 6. The said trustees shall have power to procure or condemn so much ground as may be deemed necessary for the town cemetery.

§ 7. Whenever a vacancy shall occur in the office of town marshal, or whenever the person elected to that office shall fail to qualify and give bond in fifteen days

1865. after the election, the board of trustees shall have power to appoint a marshal, to continue in office until the next annual election, and until his successor shall qualify; and the marshal so appointed shall be governed by the same laws, and have the same power, as conferred by the original act of incorporation and amendment thereto.

§ 8. Whenever a vacancy shall happen in the office of police judge, or the one last elected and commissioned shall fail to qualify in twenty days after date of his commission, the president of the board of trustees shall be, and is hereby, authorized to order an election for police judge, giving ten days' notice, which election shall be conducted as required by the original act of incorporation, and the person elected to be commissioned by the Governor, and to qualify and possess the power and jurisdiction conferred in the original act.

§ 9. This act shall be in force from its passage.

Approved May 26, 1865.

CHAPTER 1525.

AN ACT to incorporate the town of St. Mary's, in Marion County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Town incor-
porated, & bound-
ary. § 1. That the town of St. Mary's, in the county of Ma-
rion, be, and the same is hereby, incorporated, and the
town limits shall extend half mile from the St. Mary's de-
pot building in every direction; and all the area embraced
within the above limits shall be included in the corporate
limits of the town.

Trustees to be
elected. § 2. That on the second Saturday in April, in each year,
there shall be elected by the qualified voters, resident in
said town, five trustees in said town, who shall, before they
To take oath. enter upon the discharge of their duties, take an oath be-
fore some justice of the peace of said county that they
will faithfully discharge the duties of their office aforesaid;
Corporate pow-
ers. that said trustees, and their successors, shall be a body-
politic and corporate, and shall be known as the "Board
of Trustees of the town of Saint Mary's," and by that
name shall be capable of contracting and being contracted
with, of suing and being sued, of pleading and being im-
pleaded, in all courts of this Commonwealth.

Chairman--his
duties. § 3. That said trustees shall elect one of their number
as chairman, who shall preside over the deliberations of
said board when convened, and who shall have power to
convene the board in session whenever he may deem it
Regular meet-
ings. necessary; the regular meetings of said board shall be on
the second Saturday in each month, but all business trans-
acted at a regular meeting: *Provided*, That there are four

trustees present at the called meeting; at a regular meeting, three shall be capable of transacting business.

1865.

§ 4. That said board of trustees shall have power over the streets, alleys, and sidewalks, and may direct the opening and improvement of the same, in such manner as they deem most beneficial to said town; they shall have power to make all by-laws for the regulation and good government of said town not inconsistent with the constitution and laws of the United States and of this Commonwealth; they shall have power to levy and collect a tax upon the property and tithes in said town, not exceeding fifteen cents on each hundred dollars' worth of property, and not exceeding one dollar and fifty cents on each tithe in said town, to be applied to the improvement of the streets, alleys, sidewalks, or other improvements necessary therein; they shall have power to purchase any lot or piece of ground for the use of said town, necessary to straighten and extend the streets therein; to tax auction sales, shows, and other public exhibitions, such sums as they in their by-laws may fix; they shall have power to suppress tippling-houses and gaming; to fine all those who may violate their by-laws in relation thereto any sum not exceeding thirty dollars for each offense, to be recovered before either of the justices of the peace residing in the St. Mary's district; it shall be the duty of said board of trustees to appoint a treasurer, clerk, and such other officers as they may deem necessary, and to take bonds and security, and for a violation of duty on the part of any such officers, motions may be made or suit brought before any tribunal having jurisdiction thereof; and a majority of said board of trustees may, for proper cause, remove any officer and appoint others in his or their stead; that it shall be the duty of said treasurer and clerk to keep a record of all proceedings which properly belong to their respective offices; and it shall be the duty of said treasurer to render an account to said board of trustees of all moneys received and paid out by him, whenever by them requested to do so.

Power—streets and alleys.

May make by-laws.

May collect tax to improve town.
Tax auctions, shows, &c.

Suppress tippling-houses, &c.

Officers to be appointed—take bond, and may remove the same.

Treasurer and clerk to keep records.

§ 5. That no street or alley shall be extended over the land of any person, unless such land, sufficient so to extend said street or alley, shall have been purchased as provided in section 4, or unless it shall have been condemned as provided in chapter 84, section 1, Revised Statutes, in reference to public roads; and the proceedings to extend said street or alley shall be in strict conformity to said chapter.

How streets & alleys extended.

§ 6. That no money shall be drawn from the treasury except by order of the chairman of said board of trustees, made in pursuance of an allowance made by said board.

How money drawn.

§ 7. That upon all judgments rendered by said justice of the peace in said St. Mary's district, founded on a viola-

Right of appeal on judgment before justice of peace.

1865.

Constable of
district to serve
process, &c.

tion of the town ordinances or by-laws, either party shall have the right to appeal in the same manner as parties have from judgments of justices of the peace now by law.

§ 8. The constable resident in the St. Mary's district shall serve all process and precepts to him by either of the justices of the peace resident in said town district, and collect all executions and other demands, which may be put in his hands, issued in accordance with the ordinances and by-laws of said town, and account for and pay over all moneys collected on behalf of said town to their treasurer; and on failure to discharge any of the duties herein required of him, shall be subject to the same proceedings which may be had against constables in similar cases.

Compensation
of officers.

§ 9. Said board of trustees shall fix the compensation of all their officers except the fees of justices of the peace and constables in said district, whose fees shall be the same now regulated by law for similar services under the statutes of the State.

Fines, &c., to
be paid to
treasurer.

§ 10. All fines and forfeitures inflicted and collected under the ordinances and by-laws of said town, shall be paid to the treasurer of said board of trustees for the use and benefit of said town; and all moneys collected by a judgment of a justice of the peace for any violation of the penal laws committed within the limits of said town shall in like manner be paid over to the treasurer, and be subject to the order of the chairman of the board of trustees of said town.

Ordinances to
be kept in book

§ 11. That all ordinances and by-laws passed by said board of trustees shall be transcribed in a fair legible hand, in a book to be kept for that purpose by the clerk of said board, which shall be open to inspection to each and every citizen on demand.

First election.

§ 12. The first election of trustees under this act of incorporation shall be holden on the second Saturday in August next, under the supervision of Edward Byrne and I. S. Hagan as judges, who are hereby empowered to appoint a clerk and sheriff to assist in said election; the trustees elected at said election shall hold their offices until the second Saturday in April, 1866, or until their successors are elected and qualified.

Officers of elec-
tion provided
for.

§ 13. The first board of trustees elected under this act shall provide, prior to the next election, proper officers for holding the same; and if, from any cause, the annual election contemplated by this act of incorporation for a board of trustees shall fail to be holden, the board then in office shall make the necessary provisions for holding said election as soon thereafter as may be, and they then shall give at least ten days' notice of the time and place of holding said election by written notices posted in at least three public places in said town.

§ 14. On the first Saturday in August, 1865, there shall be a police judge and town marshal elected for the town of St. Mary's, who shall serve till their successors are elected and qualified, whose jurisdiction and power shall be the same of justices of the peace and constables of the State of Kentucky; the officers elected under the provisions of this bill shall hold their offices until their successors are elected, on the second Saturday in April, 1865, and qualified.

1865.
Police judge
and marshal—
powers and du-
ties.

§ 15. This act to take effect from and after its passage.

Approved May 26, 1865.

CHAPTER 1526.

AN ACT to change the name and place of voting in the Hays' Spring Precinct, in Jefferson County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the voting place in Hays' Spring precinct be changed from Hays' Spring to Fairmount post-office; and that from and after the passage of this act the name of the precinct be changed from Hays' Spring to Fairmount.

§ 2. This act to take effect from its passage.

Approved May 26, 1865.

CHAPTER 1527.

AN ACT to remove the Rock Creek Voting Precinct to Millerstown, in Grayson County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the voting precinct in Grayson county, known as the Rock creek precinct, is removed to the town of Millerstown.

§ 2. This act to take effect from its passage.

Approved May 26, 1865.

CHAPTER 1528.

AN ACT authorizing the Central Bank of Kentucky to wind up its affairs.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the president, directors, and company of the Central Bank of Kentucky are hereby authorized and empowered to wind up and settle the affairs of said bank, if a majority of the stockholders represented by stock shall

1865. consent to the same; notice must be given to the stockholders by two consecutive advertisements, in a newspaper printed in Danville, of the contemplated purpose of winding up said affairs.

§ 2. To effect this full powers are hereby conferred on said president, directors, and company to wind up, settle, and liquidate the affairs of said bank on equitable principles.

§ 3. This act to take effect from its passage.

Approved May 26, 1865.

CHAPTER 1529.

AN ACT to amend the charter of the Twelve-mile Turnpike Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the said company shall have time, until the year 1874, to complete said road to Twelve-mile creek.

§ 2. This act shall take effect from and after its passage.

Approved May 26, 1865.

CHAPTER 1530.

AN ACT to amend an act, entitled "An act transferring portions of the Elizabethtown and Bell's Tavern turnpike road to the counties of Hardin, Hart, and Barren.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act, entitled "An act transferring portions of the Elizabethtown and Bell's Tavern turnpike road to the counties of Hardin, Hart, and Barren," be, and the same is hereby, so amended that said portions of said road lying in the counties aforesaid shall be deemed and held to be ordinary public highways in said counties, and shall hereafter be under the control and jurisdiction of the county courts of said counties respectively; and that said courts shall have the right to erect gates upon said roads and collect tolls as allowed by the charters.

Approved May 26, 1865.

CHAPTER 1531.

AN ACT to establish an additional voting precinct in the County of Oldham.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be, and is hereby, established an additional voting precinct in the county of Oldham, with the

following boundary, viz: All that portion of the Floydsburg precinct lying north of the Louisville and Frankfort railroad.

1865.

§ 2. The place of voting in the precinct hereby established shall be at the tavern house in Rolington formerly occupied by R. Smither.

§ 3. This act shall take effect from its passage.

Approved May 26, 1865.

CHAPTER 1532.

AN ACT to change the place of voting in Buffalo Precinct, Carter County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the place of voting in election precinct (Buffalo) in Carter county, be, and the same is hereby, so changed from the place known, from the Caswell Smith farm, to the residence of Esquire McGlone.

§ 2. This act to be in force from its passage.

Approved May 26, 1865.

CHAPTER 1533.

AN ACT to establish an additional voting place in Buffalo Precinct, Carter County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there shall be established in Carter county, in Buffalo precinct, a voting place in addition to the one already established.

§ 2. That the said additional voting place shall be at Boone Furnace, established in the same form and manner as additional election districts are established.

§ 3. This act to be in force from its passage.

Approved May 26, 1865.

CHAPTER 1534.

AN ACT to amend an act to incorporate the Kentucky Land Mining Company, approved February 14, 1865.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the corporate name and title of the Kentucky Land Mining Company be, and the same hereby is, changed to the name and title of the "Kentucky Company," by which last name and title said company shall hereafter be known and act.

1865.

§ 2. Said company is hereby authorized to insure against accidents, damage, and death, and to make insurance upon lives, limbs, and health; it may invest such portion of its funds, as the board of directors from time to time determine, in the stock, bonds, or evidences of indebtedness of other corporations, and in State, government, or local securities in the State of Kentucky.

§ 3. The number of directors of said company shall be increased to eleven, and the present directors are empowered to appoint or elect the additional four hereby authorized.

§ 4. This act shall take effect from its passage.

Approved May 26, 1865.

CHAPTER 1535.

AN ACT for the benefit of Thomas J. Jolly, sheriff of Breckinridge County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer, in favor of Thomas J. Jolly, for the sum of one hundred and twenty-three dollars and ten cents, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

Approved May 26, 1865.

CHAPTER 1536.

AN ACT to incorporate the Long Fall Petroleum, Oil, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Samuel D. Kennady, Wm. N. Sweeny, Rob't A. Bradshaw, William D. Stirman, A. J. Ayer, and Robert S. Triplett, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Long Fall Petroleum, Oil, and Mining Company," and by that name and style shall have perpetual succession; with power to contract and be contracted with, sue and be sued, in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals; and in the manufacturing, refining, and preparing for market, transporting and selling oil and salt, and other products of said business, and of the lands now owned, or which may

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hereafter be owned by them in this State; to hold their meetings, and transport and sell their oil, salt, and other products within or without the State; and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

§ 2. That said corporators may organize said company by the appointment of a president and such other officers and managers as they may deem necessary, at such time and place as they may designate, by notice previously given; and, when thus organized, the said company shall have power to make such by-laws, rules, and regulations, as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the constitution and laws of the United States and of this State.

§ 3. The capital stock of said company shall be five hundred thousand dollars; and said company shall have power to increase the same, from time to time, not exceeding one million five hundred thousand dollars.

§ 4. The said company may buy, lease, or rent any suitable lands, mines, oil and salt rights and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise. They may receive real estate, leaseholds, mining and boring rights, and rights of way, in payment of such part of subscription as they may deem advisable. Said company may erect and build on any of their lands such buildings, engines, machinery, and fixtures as may be deemed convenient and proper for carrying on and conducting the business of said corporation.

§ 5. That this act shall take effect from and after its passage; and the right to repeal, alter, or amend this charter is reserved to the General Assembly.

Approved May 26, 1865.

CHAPTER 1537.

AN ACT to incorporate the town of Millerstown, in the County of Grayson.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the clerk of Grayson county court be, and he is hereby, directed to record the plan of the town of Millerstown when presented to him by the trustees thereof, hereafter appointed.

§ 2. That when said plan shall have been recorded, their boundary laid down therein shall be known by the name and style of the town of Millerstown.

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§ 3. That J. M. Wheeler, Anderson Skaggs, Alexander Nichols, John Henderson, and Robert S. Johnston, are hereby appointed trustees, who shall continue in office until the first Monday in July, 1865, and until their successors are duly elected and qualified; and at the expiration of their term it shall be lawful for the citizens of said town, under the superintendence of the trustees or a majority of them, whose duty it shall be to give ten days' notice of the time and place to elect their trustees of said town, who shall remain in office one year.

§ 4. That an election for trustees shall be held on the first Monday in July, and on the first Monday in June thereafter in every year thereafter; and when a vacancy may occur from any cause the board of trustees shall have power to fill the same until the next annual election.

§ 5. That every free white male person of the age of twenty-one years, being an actual resident of said town and legal voter, shall be entitled to vote for trustees or any other officers for said town created by this act.

§ 6. That the trustees shall have power to make rules and enact such by-laws for the government of said town as they may deem necessary, provided they are not contrary to the constitution and laws of this State; said trustees shall have power to inflict a fine of not exceeding five dollars for every breach of their by-laws, to be sued for and recovered in their name before the police judge of said town, or where objections arise to said judge, then before any justice of the peace for Grayson county.

§ 7. That the trustees of said town shall have power to levy a tax upon shows and exhibitions in said town, or within one quarter of a mile of the limits thereof, not exceeding ten dollars for every twenty-four hours such show or exhibition shall remain or be kept open in said town, or within the limits aforesaid.

§ 8. That the board of trustees shall appoint one of their own body as clerk and treasurer; and it shall be the duty of said clerk to keep a fair record of all the proceedings of the board, which shall be open for the inspection of any citizen desirous of seeing the same; and the board may make a reasonable allowance to him for his services out of any funds which may come into their hands under the provisions of this charter.

§ 9. That the treasurer shall receive all moneys collected, and pay the same to the order of the board; he shall give bond and surety for the faithful performance of the duties required of him; a majority of the board shall constitute a quorum for the transaction of business.

§ 10. That the said town of Millerstown shall be entitled to a police judge and marshal, whose jurisdiction and power shall be the same as that of justices of the peace

and constables of the State of Kentucky, and shall hold their offices the same length of time as that of justices and constables of this Commonwealth; and the first election of said officers shall take place on the first Monday in June, 1865, or as soon thereafter as possible, and following elections on the same day as the elections for the other officers for said town; and none but the qualified voters of said town shall be allowed to vote for said officers at said elections.

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§ 11. This act to take effect from its passage.

Approved May 26, 1865.

CHAPTER 1538.

AN ACT to incorporate the Sandy Valley Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Charles G. Shaw, George W. Shaw, George C. Glass, George F. Sadd, and Harvey Myers, their associates and successors, be, and they hereby are, created a body corporate and politic, under the name of "The Sandy Valley Oil Company;" and by that name said company may contract and sue and be sued; it may have and use a common seal; and may prescribe such by-laws for the management of its business as are proper and necessary.

Corporators' names, and corporate powers.

§ 2. Said company is authorized to take, by gift or purchase and in fee, or for a term of years, any real estate, or any mining or other privileges therein, either in Kentucky or elsewhere, which it may deem useful and proper in the prosecution of its business, and may dispose of such estate at its pleasure.

May hold real estate.

§ 3. Said company is also authorized to mine its lands for oil, salt, coal, or other minerals contained therein; and to take, refine, transport, and sell all mineral products by them so obtained; and may purchase and erect all necessary fixtures, machinery, tools, and buildings for conducting their business.

Further powers.

§ 4. The capital stock of said company shall not exceed three millions of dollars, to be divided into shares of such denomination as the board of directors may determine, to be evidenced by proper certificate, and transferred in a manner to be prescribed in the by-laws; the board of directors may fix the capital stock at a less sum than \$3,000,000, but may increase the same, from time to time, as it may be deemed expedient, not, however, exceeding the sum aforesaid; they may dispose of the capital stock in such manner as they may deem most advisable for the interests of the company, and may use a portion thereof in the purchase of such real estate, machinery, and fixtures,

Capital stock.

1865.

Board of directors.

as may be deemed necessary in the prosecution of the business of the company.

§ 5. The five persons named in the first section of this act shall constitute the board of directors of said company for the first year after the passage of this act, and shall hold their office until their successors are elected; they shall elect one of their number president, and shall appoint a secretary, treasurer, superintendent, and such other officers and employes as their business may, from time to time, require; they shall fix in their by-laws the number of directors of said company, and the time and manner of holding elections and filling vacancies; they shall keep an office in the city of Covington, Kentucky, but may have offices at such other points, in or out of the State, as the convenience of their business may require.

§ 6. No banking power conferred by this charter.

§ 7. This act shall be in force from and after its passage.

Approved May 26, 1865.

CHAPTER 1539.

AN ACT to incorporate the Louisville and White River Packet Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Company created, name and style, and corporate powers.

§ 1. That there shall be, and is hereby, created a corporation by the name of the "Louisville and White River Packet Company," with a capital stock of one hundred thousand dollars, to be divided into shares of one hundred dollars each; which corporation shall have perpetual succession, and by its said corporate name may sue and be sued, plead and be impleaded, answer and defend, in all courts and places as a natural person; may have and use a common seal, and alter or renew the same at pleasure; and may make and establish by-laws, rules, and regulations for the efficient conduct of its business; and exercise all and any of the powers of a corporation necessary or proper to the carrying out the true intent and purpose of its creation.

May transport passengers, &c.

May own boats, &c.

§ 2. The said corporation shall have power and right to transport persons and property to and from the city of Louisville, along the Ohio and White rivers, and along such other rivers as may be necessary in the efficient and successful carrying on of commerce and navigation on said rivers; and may own, buy, construct, repair, charter, hire, sell, and convey steamboats, flats, keels, and other water craft, with all equipments, appendages, and other personal property; and may also acquire, by lease or in fee, any necessary landings, wharves, or other real estate, for the

use of the corporation in its business, and sell and convey the same at pleasure, and do generally whatever is necessary to make efficient the said business of commerce and navigation on said rivers; and may make contracts with shippers to limit or fix its liability as common carrier.

1865.

§ 3. The property of said corporation, and the power to manage and control its business, shall be vested in a board of seven directors, to be elected by the stockholders on the first Monday in July of each year after the present year (1865), each share entitling the holder to one vote, and the votes of stockholders may be cast by themselves in person or by proxy, under such regulations after the first election as may be prescribed by the by-laws.

First board of directors.

§ 4. That R. A. Robinson, B. C. Levi, B. F. Guthrie, Geo. W. Wicks, and Wm. Piatt, are hereby appointed commissioners, who, or a majority of whom, to open books and receive subscriptions of stock in said corporation; and when not less than five hundred shares are taken, and twenty-five dollars on each share so subscribed for paid in cash to said commissioners, they shall, by advertisement for at least ten days in one of the daily papers published in Louisville, and one in Memphis, Tennessee, call a meeting of the stockholders in Louisville to elect a board of directors, and the votes of stockholders may be given in person or by written proxy; and the seven persons receiving the largest number of votes shall be declared directors, and hold their offices until their successors are duly elected.

Commissioners to open books.

When directors to be elected.

Votes on stock.

§ 5. After each election of directors those elected shall choose one of their own number as president of the board, who shall preside at the directors' meetings, and be the chief officer of the corporation; they shall also appoint all necessary officers, and provide for their compensation, and take all necessary bonds from officers of trust to insure the faithful discharge of their duties.

President and other officers to be appointed.

§ 6. No person shall at any time be voted for or appointed a director who is not at the time a stockholder in said corporation; and vacancies by death or resignation in the board between annual elections shall be filled by the board in office, or a quorum thereof; and a majority of the board in office shall at all times be a quorum for business.

Directors to be stockholders.

§ 7. The said board shall demand payment of stock subscribed for in such installments and at such times as they may deem expedient; and if all the stock is not subscribed for before their election, they and their successors may open or keep open the books for subscription of the stock, or may sell that not subscribed for, for the benefit of the corporation, at not less than par; and may, by rules and by-laws, provide for the forfeiture to the company of any share or shares of stock subscribed for and not fully paid for when required; and may provide for the mode of trans-

How stock paid

Stock may be forfeited.

1865.

ferring certificates of stock, which shall be deemed personal estate, and pass as such.

§ 8. This act shall take effect from and after its passage.

Approved May 27, 1865.

CHAPTER 1540.

AN ACT to incorporate the Louisville and Memphis Packet Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Company
created, name
and style, and
corporate pow-
ers.

§ 1. That there shall be, and is hereby, created a corporation, by the name of "The Louisville and Memphis Packet Company," with a capital stock of five hundred thousand dollars, to be divided into shares of one hundred dollars each; which corporation shall have perpetual succession, and, by its corporate name, may sue and be sued, plead and be impleaded, answer and defend, in all courts and places, as a natural person; may have and use a common seal, and alter or renew the same at pleasure; and may make and establish by-laws, rules, and regulations for the efficient conduct of its business, and exercise all and any of the powers of a corporation necessary or proper to carry out the true intent and purpose of its creation.

May transport
passengers, &c.

May own boats,
&c.

§ 2. The said corporation shall have power and right to transport persons and property to and from the city of Louisville, along the Ohio and Mississippi rivers, to the city of Memphis, or other point on said rivers, and along such other rivers as may be necessary in the efficient and successful carrying on of commerce and navigation on said rivers; and may own, buy, construct, repair, charter, hire, sell, and convey, steamboats, flats, keels, and other water craft, with all equipments, appendages, and other personal property; and may also acquire, by lease or in fee, any necessary landings, wharves, or other real estate for the purposes of the corporation in its business, and sell and convey the same at pleasure; and do generally whatever is necessary to make efficient the said business of commerce and navigation on said rivers; and may make contracts with shippers to limit or fix its liability as common carrier.

First board of
directors.

§ 3. The property of said corporation, and the power to manage and control its business, shall be vested in a board of seven directors, to be elected by the stockholders on the first Monday in July of each year, after the present year (1865), each share entitling the holder to one vote; and the votes of stockholders may be cast by themselves in person or by proxy, under such regulations, after the first election, as may be prescribed by the by-laws.

§ 4. That Thomas P. Hughes, Joseph W. Mitchell, Geo. W. Morris, Arthur Peter, and Jacob L. Smyser, are hereby appointed commissioners, who, or a majority of whom, to open books and receive subscriptions of stock in said corporation; and when not less than fifteen hundred shares are taken, and twenty-five dollars on each share so subscribed for paid in cash to said commissioners, they shall by advertisement, for at least ten days in one of the daily papers published in Louisville, and one in Memphis, Tennessee, call a meeting of the stockholders in Louisville to elect a board of directors, and the votes of stockholders may be given in person or by written proxy; and the seven persons receiving the largest number of votes shall be declared directors, and hold their offices until their successors are duly elected.

1865.

Commissioners
to open books.

When directors
to be elected.

Votes on stock.

§ 5. After each election of directors, those elected shall choose one of their own number as president of the board, who shall preside at directors' meetings, and be the chief officer of the corporation; they shall also appoint all other necessary officers, and provide for their compensation, and take all necessary bonds from officers of trust, to insure a faithful discharge of their duties.

President and
other officers to
be appointed.

§ 6. No person shall at any time be voted for, or appointed a director, who is not at the time a stockholder in said corporation; and vacancies by death or resignation in the board, between annual elections, shall be filled by the board, or a quorum thereof; and a majority of the board in office shall at all times be a quorum for business.

Directors to be
stockholders.

§ 7. The said board shall demand payment of stock subscribed for, in such installments, and at such times, as they may deem expedient; and if all the stock is not subscribed for before their election, they and their successors may open, or keep open, the books for subscriptions of stock, or may sell that not subscribed for, for the benefit of the corporation, at not less than par; and may, by rules and by-laws, provide for the forfeiture to the company of any share or shares of stock subscribed for and not fully paid for when required; and may provide for the mode of transferring certificates of stock, which shall be deemed as personal estate, and pass as such.

How stock paid

Stock may be
forfeited.

§ 8. This act shall take effect from and after its passage.

Approved May 27, 1865.

1865.

CHAPTER 1541.

AN ACT to incorporate the Louisville and Arkansas River Packet Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Company
created, name
and style, and
corporate pow-
ers.

§ 1. That there shall be, and is hereby, created a corporation, by the name of "The Louisville and Arkansas River Packet Company," with a capital stock of one hundred thousand dollars, to be divided into shares of one hundred dollars each; which corporation shall have perpetual succession, and by its said corporate name may sue and be sued, plead and be impleaded, answer and defend, in all courts and places, as a natural person; may have and use a common seal, and may alter and renew the same at pleasure; and may make and establish by-laws, rules, and regulations for the efficient conduct of its business, and exercise all and any of the powers of a corporation necessary or proper to the carrying out the true intent and purpose of its creation.

' May transport
passengers, &c.

May own boats,
&c.

§ 2. The said corporation shall have power and right to transport persons and property to and from the city of Louisville, along the Ohio and Arkansas rivers, and along such other rivers as may be necessary in the efficient and successful carrying on of commerce and navigation on said rivers; and may own, buy, construct, repair, charter, hire, sell, and convey, steamboats, flats, keels, and other water craft, with all equipments, appendages, and other personal property; and may also acquire, by lease or in fee, any necessary landings, wharves, or other real estate for the use of the corporation in its business, and sell and convey the same at pleasure; and do generally whatever is necessary to make efficient the said business of commerce and navigation on said rivers; and may make contracts with shippers to limit or fix its liability as common carrier.

First board of
directors.

§ 3. The property of said corporation, and the power to manage and control its business, shall be vested in a board of seven directors, to be elected by the stockholders on the first Monday in July of each year, after the present year (1865), each share entitling the holder to one vote; and the votes of stockholders may be cast by themselves in person or by proxy, under such regulations, after the first election, as may be prescribed by the by-laws.

Commissioners
to open books.

When directors
to be elected.

§ 4. That Joseph S. Morris, John T. Moore, Thomas L. Jefferson, Andrew Graham, and John H. Carter, are hereby appointed commissioners, who, or a majority of whom, to open books and receive subscriptions of stock in said corporation; and when not less than five hundred shares are taken, and twenty-five dollars on each share so subscribed for paid in cash to said commissioners, they shall by advertisement, for at least ten days in one of the daily

papers published in Louisville, and one in Memphis, Tennessee, call a meeting of the stockholders in Louisville to elect a board of directors; and the votes of stockholders may be given in person or by written proxy; and the seven persons receiving the largest number of votes shall be declared directors, and hold their offices until their successors are duly elected.

1865.

Votes on stock.

§ 5. After each election of directors, those elected shall choose one of their number as president of the board, who shall preside at directors' meetings, and be the chief officer of the corporation; they shall also appoint all other necessary officers, and provide for their compensation, and take all necessary bonds from officers of trust, to insure the faithful discharge of their duties.

President and other officers to be appointed.

§ 6. No person shall at any time be voted for, or appointed a director, who is not at the time a stockholder in said corporation; and vacancies by death or resignation in the board, between annual elections, shall be filled by the board, or a quorum thereof; and a majority of the board in office shall at all times be a quorum for business.

Directors to be stockholders.

§ 7. The said board shall demand payment of stock subscribed for in such installments and at such times as they may deem expedient; and if all the stock is not subscribed for before their election, they and their successors may open or keep open the books for subscriptions of stock, or may sell that not subscribed for, for the benefit of the corporation, at not less than par; and may, by rules and by-laws, provide for the forfeiture to the company of any share or shares of stock subscribed for and not fully paid for when required; and may provide for the mode of transferring certificates of stock, which shall be deemed personal estate, and pass as such.

How stock paid.

§ 8. This act shall take effect from and after its passage.

Approved May 27, 1865.

CHAPTER 1542.

AN ACT to incorporate the Louisville and Cumberland River Packet Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there shall be, and is hereby, created a corporation by the name of the "Louisville and Cumberland River Packet Company," with a capital stock of one hundred thousand dollars, to be divided into shares of one hundred dollars each; which corporation shall have perpetual succession, and by its said corporate name may sue and be sued, plead and be impleaded, answer and defend, in all courts and places, as a natural person; may have and use

Company created, name and style, and corporate powers.

1865.

a common seal, and alter or renew the same at pleasure; and may make and establish by-laws, rules, and regulations for the efficient conduct of its business; and exercise all and any of the ordinary powers of a corporation necessary or proper to the carrying out the true intent and purpose of its creation.

May transport
passengers, &c.

May own boats,
&c.

§ 2. The said corporation shall have power and right to transport persons and property to and from the city of Louisville, along the Ohio and Cumberland rivers, and along such other rivers as may be necessary in the efficient and successful carrying on of commerce and navigation on said rivers; and may own, buy, construct, repair, charter, hire, sell, and convey steamboats, flats, keels, and other water craft, with all equipments, appendages, and other personal property; and may also acquire, by lease or in fee, any necessary landings, wharves, or other real estate, for the use of the corporation in its business, and sell and convey the same at pleasure, and do generally whatever is necessary to make efficient the said business of commerce and navigation on said rivers; and may make contracts with shippers to limit or fix its liability as common carrier.

First board
of directors.

§ 3. The property of said corporation, and the power to manage and control its business, shall be vested in a board of seven directors, to be elected by the stockholders on the first Monday in July of each year after the present year (1865), each share entitling the holder to one vote, and the votes of stockholders may be cast by themselves in person or by proxy, under such regulations, after the first election, as may be prescribed by the by-laws.

Commissioners
to open books.

When directors
to be elected.

§ 4. That John B. McFerran, E. A. Gardner, John B. Smith, James Trabue, Grandison Spratt, Pinckney Varble, and Thomas E. Slevin, are hereby appointed commissioners, who, or a majority of whom, to open books and receive subscriptions of stock in said corporation; and when not less than five hundred shares are taken, and twenty-five dollars on each share so subscribed for paid in cash to said commissioners, they shall, by advertisement for at least ten days in one of the daily papers published in Louisville, and one in Nashville, Tennessee, call a meeting of the stockholders in Louisville to elect a board of directors, and the votes of stockholders may be given in person or by written proxy; and the seven persons receiving the largest number of votes shall be declared directors, and hold their offices until their successors are duly elected.

How stock
voted.

President and
other officers to
be appointed.

§ 5. After each election of directors those elected shall choose one of their own number as president of the board, who shall preside at directors' meetings, and be the chief officer of the corporation; they shall also appoint all other necessary officers, and provide for their compensation, and take all necessary bonds from officers of trust to insure the faithful discharge of their duties.

§ 6. No person shall at any time be voted for or appointed a director who is not at the time a stockholder in said corporation; and vacancies by death or resignation in the board between annual elections shall be filled by the board or a quorum thereof; and a majority of the board in office shall at all times be a quorum for business.

1865.

Directors to be stockholders.

§ 7. The said board shall demand payment of stock subscribed for in such installments and at such times as they may deem expedient; and if all the stock is not subscribed for before their election, they and their successors may open or keep open the books for subscriptions of stock, or may sell that not subscribed for, for the benefit of the corporation, at not less than par; and may, by rules and by-laws, provide for the forfeiture to the company of any share or shares of stock subscribed for and not fully paid for when required; and may provide for the mode of transferring certificates of stock, which shall be deemed personal estate, and pass as such.

How stock paid

Stock may be forfeited.

§ 8. This act shall take effect from and after its passage.

Approved May 27, 1865.

CHAPTER 1543.

AN ACT to incorporate the Louisville and Green River Packet Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there shall be, and is hereby, created a corporation, by the name of the "Louisville and Green River Packet Company," with a capital stock of one hundred thousand dollars, to be divided into shares of one hundred dollars each; which corporation shall have perpetual succession, and by its said corporate name sue and be sued, plead and be impleaded, answer and defend, in all courts and places, as a natural person; may have and use a common seal, and alter or renew the same at pleasure; and may make and establish by-laws, rules, and regulations for the efficient conduct of its business, and exercise all and any of the powers of a corporation necessary or proper to the carrying out the true intent and purpose of its creation.

Company created, name and style, and corporate powers.

§ 2. The said corporation shall have power and right to transport persons and property to and from the city of Louisville, along the Ohio and Green rivers, and along such other rivers as may be necessary in the efficient and successful carrying on of commerce and navigation on said rivers; and may own, buy, construct, repair, charter, hire, sell, and convey steamboats, flats, keels, and other water craft, with all equipments, appendages, and other personal property; and may also acquire, by lease or in

May transport passengers, &c.

May own boats.

1865.

fee, any necessary landings, wharves, or other real estate for the use of the corporation in its business, and sell and convey the same at pleasure, and do generally whatever is necessary to make efficient the said business of commerce and navigation on said rivers; and may make contracts with shippers to limit or fix its liability as common carrier.

First board of
directors.

How stock
voted.

§ 3. The property of said corporation, and the power to manage and control its business, shall be vested in a board of seven directors, to be elected by the stockholders on the first Monday in July of each year after the present year (1865), each share entitling the holder to one vote, and the vote of stockholders may be cast by themselves in person or by proxy, under such regulations, after the first election, as may be prescribed by the by-laws.

Commissioners
to open books.

When direct-
ors to be elect-
ed.

§ 4. That F. S. J. Ronald, W. S. Vanmeter, Henry Dent, William Terry, Henry Murrell, Wm. E. Glover, and W. George Anderson, are hereby appointed commissioners, who, or a majority of whom, to open books and receive subscriptions of stock in said corporation; and when not less than two hundred and fifty shares are taken, and twenty-five dollars on each share so subscribed for paid in cash to said commissioners, they shall, by advertisement for at least ten days in one of the daily papers published in Louisville, and one in Bowling Green, Kentucky, call a meeting of the stockholders in Louisville to elect a board of directors; and the votes of stockholders may be given in person or by written proxy; and the seven persons receiving the largest number of votes shall be declared directors, and hold their offices until their successors are duly elected.

President and
other officers to
be appointed.

§ 5. After each election of directors, those elected shall choose one of their own number as president of the board, who shall preside at directors' meetings, and be the chief officer of the corporation; they shall also appoint all other necessary officers, and provide for their compensation; and take all necessary bonds from officers of trust to insure the faithful discharge of their duties.

Directors to be
stockholders.

§ 6. No person shall at any time be voted for or appointed a director who is not at the time a stockholder in the corporation; and vacancies by death or resignation in the board between annual elections shall be filled by the board or a quorum thereof; and a majority of the board in office shall at all times be a quorum for business.

How stock paid

§ 7. The said board shall demand payment of stock subscribed for in such installments, and at such times, as they may deem expedient; and if all the stock is not subscribed for before their election, they and their successors may open or keep open the books for subscriptions of stock, or may sell that not subscribed for, for the benefit of the corporation, at not less than par; and may, by rules and by-laws,

provide for the forfeiture to the company of any share or shares of stock subscribed for and not fully paid for when required; and may provide for the mode of transferring certificates of stock, which shall be deemed personal estate, and pass as such.

1865.

Stock may be forfeited.

§ 8. This act shall take effect from and after its passage.

Approved May 27, 1865.

CHAPTER 1544.

AN ACT to incorporate the Louisville and Tennessee River Packet Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there shall be, and is hereby, created a corporation by the name of "The Louisville and Tennessee River Packet Company," with a capital stock of one hundred thousand dollars, to be divided into shares of one hundred dollars each; which corporation shall have perpetual succession; and by its said corporate name may sue and be sued, plead and be impleaded, answer and defend, in all courts and places, as a natural person; may have and use a common seal, and alter or renew the same at pleasure; and may make and establish by-laws, rules, and regulations for the efficient conduct of its business, and exercise all and any of the ordinary powers of a corporation necessary or proper to the carrying out the true intent and purpose of its creation.

Company created, name and style, and corporate powers.

§ 2. The said corporation shall have power and right to transport persons and property to and from the city of Louisville along the Ohio and Tennessee rivers, and along such other rivers as may be necessary in the efficient and successful carrying on of commerce and navigation on said rivers; and may own, buy, construct, repair, charter, hire, sell, and convey steamboats, flats, keels, and other water craft, with all equipments, appendages, and other personal property; and may also acquire, by lease or in fee, any necessary landings, wharves, or other real estate for the use of the corporation in its business, and sell and convey the same at pleasure, and do generally whatever is necessary to make efficient the said business of commerce and navigation on said rivers; and may make contracts with shippers to limit or fix its liability as common carrier.

May transport passengers, &c.

May own boats.

§ 3. The property of said corporation, and the power to control and manage its business, shall be vested in a board of seven directors, to be elected by the stockholders on the first Monday in July in each year, after the present year (1865), each share entitling the holder to one vote, and the votes of the stockholders may be cast by them-

First board of directors.

How stock voted.

1865.

selves in person or by proxy, under such regulations, after the first election as may be prescribed by the by-laws.

Commissioners
to open books.

§ 4. That William Garvin, Edward Wilder, Henry Chambers, John M. Davis, Jesse K. Bell, Isaac H. Caldwell, and Joseph T. Tompkins, are hereby appointed commissioners, who, or a majority of whom, to open books and receive subscriptions of stock in said corporation; and when not less than five hundred shares are taken, and twenty-five dollars on each share so subscribed for paid in cash to said commissioners, they shall, by advertisement for at least ten days in one of the daily newspapers published in Louisville, and one in Paducah, Kentucky, call a meeting of the stockholders in Louisville to elect a board of directors; and the votes of the stockholders may be given in person or by written proxy; and the seven persons receiving the largest number of votes shall be declared directors, and hold their offices until their successors are duly elected.

When board of
directors to be
elected.

How stock
voted.

President and
other officers to
be appointed.

§ 5. After each election of directors, those elected shall choose one of their own number as president of the board, who shall preside at directors' meetings, and be the chief officer of the corporation; they shall also appoint all other necessary officers, and provide for their compensation, and take all necessary bonds from officers of trust to insure the faithful discharge of their duties.

Directors to be
stockholders.

§ 6. No person shall, at any time, be voted for or appointed a director who is not at the time a stockholder in said corporation; and vacancies by death or resignation in the board between annual elections shall be filled by the board, or a quorum thereof; and a majority of the board in office shall at all times be a quorum for business.

How stock
paid.

§ 7. The said board shall demand payment of stock subscribed for in such installments, and at such times, as they may deem expedient; and if all the stock is not subscribed for before their election, they and their successors may open or keep open the books for subscriptions of stock, or may sell that not subscribed for, for the benefit of the corporation, at not less than par; and may by rules and by-laws provide for the forfeiture to the company of any share or shares of stock subscribed for and not fully paid for when required; and may provide for the mode of transferring certificates of stock, which shall be deemed personal estate and pass as such.

Stock may be
forfeited.

§ 8. This act shall take effect from and after its passage.

Approved May 27, 1865.

CHAPTER 1545.

1865.

AN ACT to incorporate the Burksville Oil Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. B. O'Bannon, Wm. B. Wilson, Jas. Crutcher, A. O. Brannin, Charles Tilden, E. D. Foree, and Z. F. Smith, their associates, successors, and assigns, be, and are hereby, constituted a body corporate and politic, by the name and style of "Burksville Oil and Mining Company," and by that name and style shall have perpetual succession, with power to contract and be contracted with, sue and be sued, in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals; and in the manufacturing, refining, preparing for market, transporting, and selling oil and salt, and other products of said business, and of the lands now owned, by lease or otherwise, or which may hereafter be owned by them in this State; to hold their meetings, and transport and sell their oil, salt, and other products, within or without the State; and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

§ 2. That said corporators may organize said company by the appointment of a president, and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given; and, when thus organized, the said company shall have power to make such by-laws, rules, and regulations, as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the constitution and laws of the United States and of this State.

§ 3. The capital stock of said company shall be two hundred thousand dollars; and said company shall have power to increase the same, from time to time, not exceeding three million dollars.

§ 4. The said company may buy, lease, or rent any suitable lands, mines, oil, and salt rights and privileges, rights of way, and other property, necessary for their business; and may dispose of the same, or any portion of it, by sale or otherwise; they may receive real estate, leaseholds, mining and boring rights, and rights of way, in payment of such part of subscriptions as they may deem advisable; said company may erect and build on any of their lands such buildings, engines, machinery, and fixtures, as may be deemed convenient and proper for carrying on and conducting the business of said corporation.

1865.

§ 5. This act shall take effect from and after its passage; and the right to repeal, alter, and amend this charter is reserved to the General Assembly.

Approved May 27, 1865.

CHAPTER 1546.

AN ACT to incorporate the Daviess and Henderson Mining and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That S. M. Wing, William Anthony, Jas. L. Johnson, and G. A. Peters, and their associates, successors, and assigns, are hereby created a body-politic and corporate, by the name and style of the "Daviess and Henderson Mining and Manufacturing Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places, as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and the conduct of its business not inconsistent with the constitution and laws of this Commonwealth.

May hold real
estate.

§ 2. The said company shall have power to purchase and hold such real estate in Kentucky and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, salt, and other minerals, products and deposits of the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, and prepare for market any or all of said minerals, products, or deposits, and to transport or sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property deemed necessary or proper in carrying on said business, or any part thereof; to sell, convey, transfer, or assign all or any part or interest in said estate, real or personal, corporeal or incorporeal, and to exercise any necessary or proper powers to carry out the expressed powers herein granted: *Provided*, That nothing herein contained shall be construed as granting to said company any banking powers.

Capital stock.

§ 3. The capital stock of said company shall not exceed three hundred thousand dollars, to be divided into shares of fifty dollars each; which shares shall be personal property, and transferable in such mode as may be prescribed by the by-laws of the company; and the persons named in the first section shall have power to fix the time, place,

and manner of voting for directors, who shall hold their office until the first annual election, which shall take place within six months thereafter; and annually from the time of the first annual election. The board of directors shall have power to open books for subscription of stock, and prescribe the manner of payment, and the grounds of forfeiture of stock subscribed for and not paid in as required.

1865.

Directors.

May open books.

§ 4. The by-laws shall provide for the annual election, by the stockholders, of a board of not less than three nor more than seven directors, who, when elected in each year, shall choose one of their number as president; and the president and directors shall hold their office until their successors are elected and qualified in the mode prescribed by the by-laws; and said board, or so many as the by-laws may provide, shall constitute a quorum for business, and may fill vacancies in the board occurring between annual elections.

Annual elections.

Quorum, vacancies, &c.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors, or in stockholders' meetings, and must be voted by the holder in person or by virtue of a written proxy, signed by the holder; and no person shall be voted for or hold the office of director who does not own at least three shares of capital stock.

How stock voted.

§ 6. The by-laws may provide for the appointment, employment, and payment of all necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and securities of such of its officers, and in such amount and penalty, as it may deem proper for the faithful discharge of their duties.

Officers to be appointed.

§ 7. The said company may, from time to time, as it may deem proper, make, declare, and pay dividends, or profits, and distribute its net receipts and the proceeds of sales among the stockholders *pro rata*, according to the amount of stock held by each.

Dividends.

§ 8. Said company shall possess, exercise, and enjoy all the powers, rights, and privileges which have been or may be conferred by any act of this General Assembly upon any similar corporation for similar purposes.

Privileges.

§ 9. The stockholders shall not be individually liable for the contracts, liabilities, and debts of said corporation, but the stock, privileges, rights, and properties held and owned by the corporation shall be liable therefor.

Liability of stockholders.

§ 10. This act shall take effect from its passage.

Approved May 27, 1865.

1865.

CHAPTER 1547.

AN ACT to incorporate the Robinson Creek Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That Thomas M. Johnson, Joseph H. Chandler, J. T. Boyle, B. S. Coffey, W. A. Kliessendorff, be, and they are hereby, created a body corporate and politic, by the name of the "Robinson Creek Oil Company," for the term of thirty years, with all the powers and rights incident to corporations for the purposes hereinafter mentioned ; and the above named persons shall be and constitute the first board of directors, and hold office for one year, or until their successors are elected by a majority in interest of the stockholders, any three of whom shall constitute a quorum, and may fill any vacancy occasioned by death, resignation, or otherwise.

§ 2. The corporation hereby created is hereby authorized and empowered to acquire and hold lands, in fee simple or by lease, and to bore, mine, and excavate for petroleum, salt, and other minerals on said lands, and to vend and refine the same. Five hundred thousand dollars is hereby declared to be the capital stock of the "Robinson Creek Oil Company," which may be divided into shares of not less than five nor more than one hundred dollars each share, which may be issued and transferred on the books of the company in the manner prescribed by the by-laws thereof, which the board of directors are authorized to adopt for the management of the affairs and business of the company, not inconsistent with the constitution and laws of the State.

§ 3. Whenever one hundred thousand dollars is subscribed, and ten per cent. thereof paid in, the said directors, or any three of them, shall give notice of the time and place for the election of a new board of directors, who shall hold office for one year, or until their successors are elected ; stockholders may vote by proxy, or as provided by the by-laws. The company may establish offices at any place or places they deem proper, and appoint a secretary, treasurer, and other officers fixed by their by-laws ; any of the incorporators herein named may open books of subscription, and receive subscriptions to the capital stock of the said company ; and the books may be opened and closed at such times and places as a majority of the directors shall deem proper.

§ 4. This act to take effect from its passage.

Approved May 27, 1865.

CHAPTER 1548.

1865.

AN ACT to incorporate the Tar Spring Coal, Petroleum, and Iron Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William H. Howe, J. F. Hayden, E. G. Hale, Wm. Howe, Wm. W. Smith, and Edward Wilkins, and their successors, are hereby created a body-politic and corporate, under the name and style of "The Tar Spring Coal, Petroleum, and Iron Company;" and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and break or alter the same at pleasure; and may make all necessary or convenient by-laws, rules, and regulations for the government of said company and the management of its affairs, not inconsistent with the State or Federal constitutions or laws of Kentucky.

§ 2. That said company shall have power to appoint one or more of its members, or other person or persons, to manage, control, and direct the business thereof according to the by-laws, rules, and regulations which may, from time to time, be adopted by said company for its government and the transaction of its business; and said company shall be organized by the aforesaid corporators, at such time and place as they may appoint.

§ 3. That the capital of said company shall be one million five hundred thousand dollars, divided into shares of five dollars each, which shall be subscribed and paid for, either in money or property, and in such name, or on such terms, as may be prescribed by said company in its by-laws; said shares shall be taken and be deemed to be personal property, and may be transferred in such manner as the said company, by its by-laws, may appoint.

§ 4. The business of said company shall be confined to mining coal, and transporting the same to market; the manufacture of oil and other products from coal; to boring, digging, or sinking wells for petroleum and other oils; and to the mining and manufacture of iron and other metals and minerals, or some branch or branches of said business; said company may purchase or lease, own or hold, real estate, either in or out of this State, and the same sell and convey at pleasure, according to its by-laws; it shall also have power to own and dispose of such personal property, together with buildings, machinery, boats, roads, &c., &c., as it may deem necessary, from time to time, in the prosecution of its business.

§ 5. The said company shall have power, from time to time, to incur such indebtedness as they may deem necessary for the successful prosecution of its business, and may issue bonds therefor, not exceeding five hundred thou-

1865.

sand dollars, payable at such time or times as they may deem proper, bearing interest not exceeding the rate of six per cent. per annum.

§ 6. That said company shall have power to own, construct, and operate such railroads, team-roads, or other roads, from any mine, well, or manufacturing establishment it may own or possess, to the nearest convenient place or places of shipment, or market or markets, by such route or routes as it may designate; and for the purpose of location may enter upon, and survey over, the intermediate lands; and if the right of way, whenever located, cannot be acquired on terms deemed reasonable, it may proceed by writ of *ad quod damnum* to condemn the right of way and the convenient materials, in the manner pointed out in the 103d chapter of the Revised Statutes: *Provided, however,* If the owner of the land or lands is dissatisfied with the finding of the jury in the first instance, and traverses the same, then, should the said company pay or tender the sums and costs awarded to the person to whom they are awarded, it may proceed to enter upon the lands, and to take possession of the road-beds and materials, and to construct and operate the road.

§ 7. This act shall take effect from and after its passage.

Approved May 27, 1865.

CHAPTER 1549.

AN ACT to charter the Kentucky National Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That J. N. Kinney, G. W. Fulton, Henry Glass, and Lafayette Devenny, and their associates, be, and are hereby, created a body-corporate and politic, by the name and style of the "Kentucky National Petroleum and Mining Company," and by that name shall have perpetual succession, may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company not inconsistent with the constitution and laws of this State or of the United States.

Capital stock.

§ 2. The capital stock of said company shall not exceed three millions of dollars, which may be divided into shares, subscribed and paid for in such manner as said company may by its by-laws prescribe.

Who to man-
age affairs of
corporation.

§ 3. That said company shall have power to appoint any one or more of its members, or other persons, to manage,

control, and direct the business of said company, according to the by-laws, rules, and regulations which said company may adopt.

1865.

§ 4. That said company may acquire and hold such real and personal estate, by contract or otherwise, as they may deem necessary or proper for the carrying on the mining of coal, iron, lead, or other minerals, the procuring and manufacturing or refining of oil, salt, and lumber, and the transportation thereof to market; together with such quantities of land as may be necessary for the establishment of mills, machinery, depots, and landings for the same; to build railroads, or slack water navigation, necessary to convey the products of their mining or manufacturing operations to market; and if such land or right of way cannot be otherwise obtained, said company may have the same condemned, by filing its petition for that purpose with the clerk of the county court of the county in which such land may be situated, and obtaining thereon the necessary writs of *ad quod damnum*, as required by law in the condemnation of lands for the use of turnpike roads: *Provided, however*, That no property shall be so taken without the value thereof having been first paid or tendered.

Further powers
of corporation.

§ 5. That said company may build, buy, and own boats for the use of their business, and dispose of their property, or any portion of it, by sale or otherwise; they may receive real estate or mining privileges in payment of such part of their stock as they may deem advisable, and may dispose of the same, or any part thereof, as the interests of the company may require.

May own boats,
&c.

§ 6. That it shall be lawful for the president and directors of said company, from time to time, to borrow or obtain on loans such sums of money, and on such terms, as they may deem expedient for the prosecution of the business of said company, provided that such sum or sums shall never exceed the one half of its capital stock, and to pledge or mortgage any part of the real estate, improvements, privileges, effects, or assets whatever of said company, for the repayment of said sums so borrowed, on such terms as may be agreed upon.

May borrow
money.

§ 7. That said company, when fully organized, shall cause a book to be opened, and kept subject to the inspection of any member of said company, and the number of shares or amount of stock owned by each; and the said shares may be transferred in the manner to be prescribed by the by-laws of said company.

Record of
shareholders to
be kept.

§ 8. That said company shall possess and enjoy all powers, rights, and privileges which are right, necessary, and proper to carry out the objects of this association, or which have heretofore or may hereafter be granted to mining or manufacturing associations in this State.

Privileges of
corporation.

1865.

May conduct
business out of
State.

§ 9. That this company shall have power to pursue its business outside of the State of Kentucky, so far as the laws of any other State in which they may wish to operate may permit.

§ 10. That this act shall take effect from and after its passage.

Approved May 27, 1865.

CHAPTER 1550.

AN ACT to incorporate the Roaring Lilly Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Joseph Coffey, J. T. Boyle, Thos. P. Jeffreys, R. A. Watts, Jas. R. Ewing, B. S. Coffey, Geo. Bryan, be, and they are hereby, created a body corporate and politic, by the name of the "Roaring Lilly Petroleum Company," for the term of thirty years, with all the powers and rights incident to corporations for the purposes hereinafter mentioned; and the above named persons shall be and constitute the first board of directors, and hold office for one year, or until their successors are elected by a majority in interest of the stockholders, any four of whom shall constitute a quorum; and may fill any vacancy occasioned by death, refusal to act, or otherwise.

§ 2. The corporation hereby created is hereby authorized and empowered to acquire and hold lands, in fee simple or by lease, and to bore, mine, and excavate for petroleum, salt, and other minerals on said lands, and to vend and refine the same. Five hundred thousand dollars is hereby declared to be the capital stock of the "Roaring Lilly Petroleum Company," which may be divided into shares of not less than five dollars nor more than one hundred dollars each share, which may be issued and transferred on the books of the company in the manner prescribed by the by-laws thereof, which the board of directors are authorized to adopt for the management of the affairs and business of the company, not inconsistent with the constitution and laws of the State.

§ 3. Whenever one hundred thousand dollars is subscribed, and ten per cent. thereof paid in, the said directors, or any three of them, shall give notice of the time and place for the election of a new board of directors, who shall hold office for one year, or until their successors are chosen; stockholders may vote by proxy, or as provided by the by-laws; the company may establish offices at any place or places they deem proper, and appoint secretary, treasurer, and other officers fixed by their by-laws; any of the incorporators herein named may open books of

subscription, and receive subscriptions to the capital stock of the said company; and the books may be opened and closed at such times and places as a majority of the directors shall deem proper.

1865.

§ 4. This act to take effect from its passage.

Approved May 27, 1865.

CHAPTER 1551.

AN ACT to incorporate the Fulton Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That George W. Fulton, J. D. Hinde, S. N. Drake, B. F. Williams, Jefferson Hally, James Bigstaff, David Penn, Thomas Porter, and John A. Prall, and their assigns and successors, be, and they are hereby, incorporated and created a body-politic and corporate, under the name and style of "The Fulton Oil, Mining, and Manufacturing Company;" and under that name shall have perpetual succession; may have a common seal, and alter the same at pleasure; may sue and be sued, plead and be impleaded; and may acquire and hold, by deed or lease, such real estate, in any part of Kentucky, as it may deem necessary and suitable for the purposes of its organization, or any interest therein, and may sell and convey the same; and may purchase and hold such machinery, implements, and other personal property, as it may deem suitable in the prosecution of its business; and shall have such other powers as have been granted by this General Assembly to any company incorporated for similar purposes.

Corporators' names, and corporate powers.

§ 2. The capital stock of said company shall be a sum not exceeding two millions of dollars, which shall be fixed in the by-laws hereinafter provided for, together with the number and denomination of the shares, into which the same shall be divided, and the manner in which said shares shall be sold and paid for.

Capital stock.

§ 3. The business of said company shall be, by boring, mining, or otherwise, to extract and obtain oil, salt, coal, iron, shale, or any other mineral or substance within the earth or upon its surface, by refining or manufacturing, to prepare the same, or any other material or product it may obtain for use, consumption, or market; to convert timber into lumber, and to transport and vend in the markets the articles thus produced, either in their crude state or after being thus refined or manufactured; and to do such other things as may be incidental to the business above set forth.

Business of corporation.

1865.

May call meeting to adopt by laws.

May open books.

Who to conduct business.

§ 4. Any five of the corporators named in the first section may, at any time after the passage of this act, call a meeting of said corporators and adopt such by-laws for the regulation of said company and management of its affairs as they may deem fit, provided the same are not in conflict with this act, or with the constitution and laws of this State or the United States; and after regulating the amount of the capital stock, and the shares into which the same shall be divided, as above provided for, may open books for the subscription of the said stock; and may fix the time and place for the election of officers, at which election each stockholder shall be entitled to one vote for each share of his stock upon which all calls have been paid, to be cast by him in person or by written proxy; the company may, at any regular meeting, amend or add to its code of by-laws, and may provide for the increase of the capital stock within the limit above prescribed.

§ 5. The business of said company shall be conducted by a board of directors, the number to be fixed in the by-laws, not exceeding seven, a president, to be selected by said board out of their number, and such other officers and agents as may be from time to time provided for in the by-laws, or selected by the president and directors.

§ 6. The company above incorporated shall have and exercise no banking privileges whatever.

§ 7. This act shall take effect from and after its passage.

Approved May 27, 1865.

CHAPTER 1554.

AN ACT for the benefit of Wm. E. Hill, late Sheriff of Johnson County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Wm. E. Hill, late sheriff of Johnson county, be, and he is hereby, given until the first day of June, 1866, to collect his fee bills and wind up his old business as sheriff for said county.

§ 2. This act to take effect from its passage.

Approved May 27, 1865.

CHAPTER 1555.

AN ACT for the benefit of Theodore Thompson, Sheriff of Livingston County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the payment in full of the principal and cost of a judgment of the State against Theodore

Thompson and sureties, sheriff of Livingston county, for the year 1864, the Auditor or Governor is authorized to release the damages and interest.

1865.

§ 2. This act to take effect from the date of its passage.

Approved May 27, 1865.

CHAPTER 1558.

AN ACT to amend an act, entitled "An act to incorporate Mt. Moriah Lodge, No. 206, of Free and Accepted Masons," approved September 30, 1861.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That so much of said act, approved September 30, 1861, as names and styles Mt. Moriah Lodge of Free and Accepted Masons, of Louisville, as No. 206, be, and the same is hereby, repealed; and that wherever the No. 206 occurs in said act that No. 106 be inserted in lieu of No. 206, and that Mt. Moriah Lodge shall be known and incorporated as No. 106.

§ 2. This act to take effect from its passage.

Approved May 27, 1865.

CHAPTER 1559.

AN ACT to repeal Section 3, Chapter 358, of an act to lay off Adair County into Magistrates' and Election Districts, approved February 18, 1860.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3, chapter 358, of an act, entitled "An act to lay off Adair county into magistrates' and election districts," approved February 18, 1860, be, and the same is hereby, repealed; and that the county court of said county have the same powers as conferred by the general laws on other county courts.

§ 2. This act shall be in force from its passage.

Approved May 27, 1865.

CHAPTER 1560.

AN ACT for the benefit of Jordan Neal, Sheriff of Estill County.

WHEREAS, It is made known to the General Assembly that Jordan Neal was, at the regular August election, 1864, duly elected sheriff of Estill county, and qualified as such by executing his official bond at the December court, instead of the time designated by law; for remedy thereof,

1865.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the sureties of said Neal appearing in the county court of said county, and consenting in writing, the said qualification and bond shall have the same effect as if the same had been done within the time prescribed by law.

§ 2. In the event said sureties, or any of them, shall refuse or neglect to assent to the same, the said Neal may offer further and sufficient surety; and upon such other and sufficient surety being given, it may be lawful for the county court to accept the same, and allow said Neal to qualify as sheriff aforesaid.

§ 3. The official acts of said Neal done under his said qualification in December are hereby legalized.

§ 4. This act shall take effect at its passage.

Approved May 27, 1865.

CHAPTER 1561.

AN ACT for the benefit of Patsey Goodin, of Hardin County.

WHEREAS, It is represented to this General Assembly that Ambrose Goodin, a free man of color, of Hardin county, was killed by the guerrillas; that at the time of his being killed he owned his wife, Patsey Goodin, as his slave, but with whom he had lived as husband and wife for many years, and also owned a tract of land situate in said county, containing 119½ acres, the earnings of their joint labor, the title to which was conveyed to him by W. H. Johnson and wife, by deed duly recorded in the clerk's office of the Hardin county court, and bears date 7th October, 1852; and that said Ambrose left no heirs capable of inheriting the same, but his estate escheated to the Commonwealth; wherefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the said Patsey is hereby emancipated and set free, and is declared capable in law of inheriting from her said husband, Ambrose Goodin, any and all property which he may have owned at his death as fully as though she had been a free person, and lawfully married to him at that time.

§ 2. That this State hereby releases to said Patsey all claim whatever (except for taxes) which it has to the tract of land named in the preamble to this act.

§ 3. This act shall take effect from its passage.

Approved May 27, 1865.

CHAPTER 1562.

1865.

AN ACT for the benefit of the Police Judge of Eddyville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the police judge of Eddyville be allowed the same fees now allowed to justices of peace for similar services.

§ 2. This act to take effect from its passage.

Approved May 27, 1865.

CHAPTER 1563.

AN ACT to amend "An act to incorporate the Kentucky Ship Building and Lumber Company."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act, entitled "An act to incorporate the Kentucky Ship Building and Lumber Company," approved March the 9th, 1854, be, and the same is hereby, so amended as to confer upon said company the privilege of boring for petroleum and salt water, mining for coal, iron, or any other minerals, and refining and manufacturing the same into anything advantageous or useful in the market.

§ 2. And be it further enacted, That anything in said act of incorporation limiting the continuance of the same, be, and is hereby, repealed.

§ 3. This act to take effect from its passage.

Approved May 27, 1865.

CHAPTER 1564.

AN ACT for the benefit of Wm. H. Miller.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William H. Miller, of the county of Ohio, be, and he is hereby, allowed the sum of sixty dollars and twenty-five cents (\$60 25), the amount of his account for supplies furnished the 11th Kentucky infantry regiment, before it was mustered into the United States service.

§ 2. That the Auditor of Public Accounts be directed to draw his warrant on the military fund in the hands of the Treasurer for that amount in favor of said Miller.

§ 3. This act shall be in force from its passage.

Approved May 27, 1865.

1865.

CHAPTER 1565.

AN ACT to incorporate the Big Blain Creek Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That John M. Rice, Jake Rice, and John B. Hatcher, their successors and assigns, are hereby created a body-politic and corporate, under the name and style of "The Big Blain Creek Petroleum Company;" and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts of competent jurisdiction; have a common seal, and alter the same at pleasure; may make all by-laws necessary for the regulation and government of said company, not inconsistent with the laws of Kentucky or of the United States.

§ 2. Said company shall have power and authority to appoint any one or more of its members, or person or persons, to manage, control, and direct the business of said company, for its government and transaction of business.

§ 3. The capital stock of said company shall not exceed five hundred thousand dollars upon its primary organization, but may, at the will of said company, be increased three hundred per cent., to be divided into shares of ten dollars each; which may be subscribed and paid for in such manner as may be prescribed by said company in its by-laws; and said shares may be transferred in such manner as said company, by its by-laws, may direct; said shares shall be taken and held as personal property.

§ 4. Said company shall have power to hold such estate in the State of Kentucky, by purchase or lease, or otherwise, as it may deem necessary and proper for carrying on the business of mining or boring for petroleum, carbon, or rock oil; and also boats, engines, buildings, and such machinery as may be necessary for procuring and transporting said products to market, with power to sell and convey such materials and estate, or any part thereof, at pleasure; and whatever powers to transact business may be necessary and expedient, as incidental to said business, is hereby conferred on said company: *Provided, however,* Said company shall not have the power to issue their own notes as bank notes, nor exercise any privileges that pertain exclusively to banking houses or institutions.

§ 5. This act shall take effect from its passage.

Approved May 31, 1865.

CHAPTER 1566.

1865.

AN ACT to incorporate the National Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That T. P. White, John B. Smith, J. H. Lindenger, George W. Wicks, Henry G. Phillips, and Herman Beckurts, their associates, successors, and assigns, be, and they are hereby, constituted a body-corporate and politic, by the name, style, and title of the "National Oil and Mining Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations, as shall seem necessary and convenient for the government of said corporation, not being contrary to the laws of this State or of the United States.

Corporators' names, and corporate powers.

§ 2. The capital stock of said company shall be five hundred thousand dollars, to be divided into shares of twenty dollars each; said company may, however, commence operations as soon as fifty thousand dollars of said capital stock shall be subscribed, and twenty thousand dollars thereof paid in; and the remaining portion of said capital stock may be issued and sold by the board of directors of said company at such times as may seem to them best.

Capital stock.

§ 3. The said company shall have the power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same, and other products of lands now owed by them, or which may hereafter be owned by them; to purchase, build, and own boats, and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights, and rights of way and real estate, as they may deem necessary for the successful prosecution of their business, and the same or any part thereof to sell or otherwise to dispose of as the interests of said company may require.

May hold real estate.

Business of corporation.

§ 4. For conducting the affairs of said company a board of five directors shall be chosen; said board shall choose one of its number, who shall be the president of said company; and said board shall serve for one year, or until their successors are elected and qualified. The president and directors shall have power to appoint all officers, agents, and servants under them, and to remove them at

Who to conduct business.

1865.

pleasure. In all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy.

Stock personal
estate.

§ 5. The stock of said company shall be deemed personal estate.

May open
books.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the stock shall at no time exceed the maximum amount herein named.

May borrow
money.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow or obtain on loans such sums of money, and on such terms, as they may deem expedient for the use of said company, and to pledge or mortgage all or any part of the estates, improvements, privileges, effects, and assets of said company for the repayment of said sums of money so borrowed, at such times as may be agreed upon.

Stock may be
forfeited.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

Powers of
company.

§ 9. Said company shall have, possess, and enjoy all rights, powers, privileges, and immunities conferred by law in this State upon any other company chartered for similar purposes.

No banking
powers.

§ 10. Nothing herein contained shall be construed into conferring banking powers upon this corporation.

§ 11. This act to take effect from its passage.

Approved May 31, 1865.

CHAPTER 1567.

AN ACT to incorporate the Louisville Oil and Gold Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That Thos. T. Shreve, R. C. Hill, D. G. Bly, E. W. Redman, Miles Hill, and those that may associate with them, and their successors and assigns, shall be, and they are hereby, constituted a body corporate and politic, by the name and style of "Louisville Oil and Gold Mining Company," and by that name and style shall have perpetual succession, with the power to contract and be contracted with, sue and be sued, plead and be impleaded, answer and defend, in that name, in all courts and places whatever; to have and use a common seal, and to change and renew the same at pleasure; to purchase and hold, in fee or by lease, any lots or tracts of lands, mining or oil interests, and such other lands as they may require for their business, or may deem it expedient to acquire by purchase or collections of debts, so that the real estate shall not exceed

one million dollars. To engage in mining and boring for petroleum or rock oil, gold, or other valuable mineral. the products of said business and the lands now owned or which may hereafter be owned by them; to hold their meetings, manufacture, transport, and sell their oil, gold, and other products within or without the State; and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

1865.

§ 2. The affairs of said company shall be managed by a board of directors, to consist of not less than five nor more than twenty-one members of said company, or stockholders, as may be regulated by the by-laws of said company; and said directors shall be chosen by ballot from among the stockholders; and a majority of the whole board shall constitute a quorum for the transaction of business.

Who to manage affairs of corporation.

§ 3. The persons named in the first section of this act are hereby constituted a board of directors, to serve as such until the first annual election, and until others are chosen; which annual election shall be held on the — day of —, or as shall be regulated by the by-laws.

Board of directors.

§ 4. That said corporators may organize said company by the appointment of a president, and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given; and when thus organized, the said company shall have power to make such by-laws, rules, and regulations as they may deem necessary, from time to time, for the government and prosecution of the business of the said company, not inconsistent with the constitution and laws of the United States and this State.

President and other officers to be appointed.

§ 5. The capital stock of said corporation shall be five hundred thousand dollars (500,000), and said company shall have the power to increase the same, from time to time, to one million dollars, to be divided into shares of one hundred dollars each.

Capital stock.

§ 6. The said company may buy, lease, or rent, any suitable lands, mines, oil, gold, or iron rights and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise; they may receive real estate, leaseholds, mining or boring rights, and rights of way, in payment of such parts of subscription as they may deem advisable. Said company may erect and build upon any of their lands such buildings, engines, machinery, and fixtures as may be deemed necessary or convenient and proper for carrying on and conducting the business of said corporation.

May hold lands.

By-laws.

1865.

Construction of
act.

§ 7. This act shall be deemed a public act, and be liberally construed for the purposes therein contained, and subject to the statutes now in force governing private corporations.

Repealing
clause.

§ 8. The Legislature reserves the right to amend or repeal this charter, in accordance with an act, entitled "An act reserving power to amend or repeal charters and other laws," approved February 14, 1856.

§ 9. This act shall take effect from its passage.

Approved May 31, 1865.

CHAPTER 1568.

AN ACT to incorporate the Highland Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That E. G. Phelps, T. M. Conditt, and Wm. Berry, their associates, successors, and assigns, be, and they are hereby, created a body corporate and politic, by the name of the "Highland Petroleum and Mining Company," with all the powers incident to corporations or hitherto granted any corporation within this Commonwealth for the purposes hereinafter mentioned.

May hold lands

§ 2. The said corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., mining coal, iron, zinc, copper lead, and other minerals, to refine, ship, and vend the same; and to cut, raft, and float the timber from said lands, or to build any and all kinds of flats, boats, mills, or other buildings, fixtures, and machinery deemed proper in order to further the operations of said company, or dispose of any portion or portions of its territory, or other property deemed advisable, and convey the same by deed or otherwise.

Capital stock.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct; and the capital stock may be increased if deemed proper, but not to exceed one million dollars; and the shares of stock in said company shall be deemed and held as personal estate.

Who to man-
age affairs of
corporation.

§ 4. The affairs of said company shall be managed by three directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board of directors shall consist of E. G. Phelps, T. M. Conditt, and Wm. Berry, who shall continue in office until

their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors thus chosen shall continue in office for one year, or until their successors are elected. If any of the directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else. They may adopt such by-laws and rules, and alter, amend, or repeal the same, from time to time, for the government of the corporation and the management of its affairs and business as they deem proper, not inconsistent with the constitution and laws of the State. The said corporation, or any of them, may open books and receive subscriptions to the capital stock of said company, and give notice thereof times, places, &c., as may be deemed proper. Whenever fifty thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year, or until their successors are elected, as provided herein; and may make such calls of payment of stock as they may deem proper, not to exceed twenty per cent. for every thirty days; and in default of payment, may authorize a forfeiture of stock; they may keep their office at such place or places as they may deem to the interest of said company; they may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as they may fix; and, by their by-laws, regulate and fix the mode of keeping their records; and may use a common seal, and alter the same at pleasure; and sue and be sued, and maintain any action, whether as plaintiff or defendant, in any of the courts of this Commonwealth.

§ 5. No banking privileges are granted by this act, which shall take effect from its passage.

Approved May 31, 1865.

1865.

Vacancies.

May make by-laws.

When directors to be elected.

Where to keep office.

Officers to be appointed.

No banking powers.

CHAPTER 1569.

AN ACT to incorporate the Congressional Petroleum, Coal, Oil, Refining, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. H. Lape, R. T. Baker, Jacob Hawthorn, and C. Lape, their associates, successors, and assigns, be, and they are hereby, constituted a body-corporate and politic, by the name, style, and title of the "Congressional Petroleum Coal, Oil, Refining, Mining, and Manufacturing Company," and by that name and style are hereby made as capable in law as natural persons to contract and

Corporators' names, and corporate powers.

1865.

Capital stock.

When to commence operations.

May hold lands

Business of corporation.

Who to conduct business.

Officers to be appointed.

Votes on stock.

President pro tem.

May open books.

May borrow money.

be contracted with, sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal, and change the same at pleasure; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to the laws of this State or the United States. The capital stock of said company shall be one million of dollars, in shares of fifty dollars each; and the amount of capital and price of shares of stock may be increased or diminished fifty per cent., by a vote of the stockholders, at any time upon a notice of ten days; said company, however, may commence operation as soon as five thousand dollars actual cash has been put into said company; and the remainder of said stock may be issued and sold at such time as the president and board of directors shall deem advisable.

§ 2. The said company shall have the power to purchase, lease, and negotiate for, and hold as much land and real estate as they may deem necessary for the prosecution of their business, to-wit: To explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same, and other products of lands now owned by them or that may be owned by them or either of them; that they shall have the power to build all kinds of boats or steamboats, build roads and bridges of all descriptions, all kinds of machinery buildings, and to hold all rights of way; but this corporation shall not have the privilege of issuing any notes whatever that shall be deemed money.

§ 3. For conducting the affairs of said company a board of five directors shall be chosen; the four incorporators herein named shall constitute a portion of said board, and they shall have power to choose the fifth; and it shall be the duty of said board to choose one of its members who shall act as president of said board for the term of one year, or until his successor shall be elected; the president and board of directors shall have power to appoint all officers, agents, and laborers under them, and remove them at pleasure. In all elections each share of stock shall entitle the holder thereof to one vote, and stockholders may vote by proxy. In the absence of the president the board may appoint a president *pro tem*.

§ 4. Books for the subscription of stock may be opened at any time and place, and closed at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

§ 5. That it shall be lawful for the president and directors of said company from time to time, and at all times, to borrow or obtain on loan such sums of money, and on such

terms as they may deem expedient, for the use of said company, and to pledge or mortgage all or any part of the estates, improvements, privileges, effects, and assets of said company for the repayment of said sums of money so borrowed, at such time or times as may be agreed upon.

§ 6. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

Stock may be forfeited.

§ 7. Said company shall have, possess, and enjoy all rights, powers, and privileges, conferred by law in this State upon any other company chartered for similar purposes.

§ 8. This act shall take effect upon its passage.

Approved May 31, 1865.

CHAPTER 1570.

AN ACT to incorporate the Shale Mountain and Salt Valley Petroleum, Coal, Oil, Refining, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That S. R. Hawthorn, A. Scott, F. G. Shaw, and J. Hawthorn, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name, style, and title of the "Shale Mountain and Salt Valley Petroleum, Coal, Oil, Refining, Mining, and Manufacturing Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, sue and be sued, to plead and be impleaded, in the Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to the laws of Kentucky or of the United States. The capital stock of said company shall be three hundred thousand dollars, in shares of fifty dollars each, and may be increased or diminished fifty per cent. by a vote of the majority of the stockholders at any time upon a notice of ten days; said company may commence operations as soon as three thousand dollars of said capital stock shall be subscribed, and fifty per cent. thereof paid in; and the remaining portion of said stock, the capital stock, may be issued and sold by the board of said directors of said company at such time as may seem to them best.

Corporators' names, and corporate powers.

Capital stock.

When to commence operations.

1865.

May hold lands

Business of
corporation.

§ 2. Said company shall have the power to purchase, lease, and negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: To explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and all minerals, and in the manufacture of the same, and all other products of lands now owned by them, or either of them, or which may hereafter be owned by them, or either of them; to purchase or build any kind of boats, and other improvements, to erect buildings for the transaction of their business; to hold such mining rights, and rights of way and real estate, as they may deem necessary for the successful prosecution of their business, and the same, or any part thereof, to sell or otherwise to dispose of, as the interest of said company may require.

Directors, president, & other
officers.

§ 3. For conducting the affairs of said company a board of five directors shall be chosen; said board shall choose of its number a president for said company; and said board shall serve one year or longer, as may seem best by the stockholders of said company; the president and directors shall have power to appoint all officers, agents, and laborers under them, and to remove the same at pleasure. In all elections each share of stock shall entitle the holder to one vote; stockholders may vote by proxy; in the absence of the president the board may appoint a president *pro tem*.

May open
books.

§ 4. Books may be opened for the subscription of stock, at any time and place, and closed at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

May borrow
money.

§ 5. It shall be lawful for the president and the directors of said company, from time to time, and at all times, to borrow money, by loan or otherwise, as by them may seem expedient, for the use of said company, and to pledge or mortgage all or any part of the estates, improvements, or privileges and assets of said company for the repayment of said sums of money so borrowed, at such time or times as may be agreed upon.

Stock may be
forfeited.

§ 6. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

Powers of corporation.

§ 7. Said company shall have, and possess, and enjoy, all the rights, powers, and privileges and immunities conferred by law in this State upon any other company chartered for similar purposes.

§ 8. This act shall take effect upon its passage.

Approved May 31, 1865.

CHAPTER 1571.

1865.

AN ACT to incorporate the Lick Branch Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William Berry, E. G. Phelps, and T. M. Conditt, their associates, successors, and assigns, be, and they are hereby, created a body-corporate and politic, by the name of the "Lick Branch Oil, Mining, and Manufacturing Company," with all the powers incident to corporations, or hitherto granted any corporation within this Commonwealth, for the purposes hereinafter mentioned.

Corporators' names, and corporate powers.

§ 2. The said corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c.; mining coal, iron, zinc, copper, lead, and other minerals, to refine, ship, and vend the same, and to cut, raft, or float the timber from said lands, or build any and all kinds of flats, boats, mills, or other building, fixtures, and machinery deemed proper in order to further the operations of said company, or dispose of any portion or portions of its territory or other property deemed advisable, and convey the same by deed or otherwise.

May hold lands

Further powers.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct; and the capital stock may be increased if deemed proper, but not to exceed one million dollars; and the shares of stock in said company shall be deemed and held as personal estate.

Capital stock.

§ 4. The affairs of said company shall be managed by three directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board of directors shall consist of William Berry, E. G. Phelps, and T. M. Conditt, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors thus chosen shall continue in office for one year, or until their successors are elected; if any of the directors shall decline or refuse to act, the majority of the others shall fill the vacancy by appointing some one else; they may adopt such by-laws and rules, and alter, amend, or repeal the same, from time to time, for the government of the corporation, and management of its affairs and business, as they deem proper, not inconsistent with the constitution and laws of the State. The said corporation, or any of them, may open books and receive subscriptions to the capital stock of said company, and give such notice

Who to conduct business.

First board of directors.

May make by-laws.

May open books.

1865.

When directors to be elected.

Calls on stock.

Office where kept.

Officers to be appointed.

thereof, times, places, &c., as may be deemed proper. Whenever fifty thousand dollars of the capital stock is subscribed, and five per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year, or until their successors are elected as provided herein; and may make such calls of payment of stock as they may deem proper, not to exceed twenty per cent. for every thirty days, and in default of payment, the by-laws of said company may authorize a forfeiture of stock; they may keep their office at such place or places as they may deem to the interest of said company; they may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as they may fix; and by their by-laws regulate and fix the mode of keeping their records; and may use a common seal, and alter the same at pleasure; and sue and be sued, and maintain any action, whether as plaintiff or defendant, in any of the courts of this Commonwealth.

§ 5. No banking privileges are granted by this act, which shall take effect from its passage.

Approved May 31, 1865.

CHAPTER 1572.

AN ACT to incorporate the Social Hill Petroleum, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Sanders Eaves, David W. Eaves, and Joseph S. Eaves, their associates, successors, and assigns, be, and they are hereby, created a body corporate and politic, by the name of the "Social Hill Petroleum, Mining, and Manufacturing Company," with all the power incident to corporations hitherto granted any corporation within this Commonwealth, for the purposes hereinafter mentioned.

May own boats, &c.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., mining coal, iron, zinc, copper, lead, and other minerals, refine, ship, and vend the same; and to cut, raft, or float the timber from said lands, or build any and all kinds of flats, boats, mills, or other buildings, fixtures, and machinery deemed proper in order to further operations of said company, or dispose of any portion or portions of its territory, or other property, deemed advisable, and convey the same by deed or otherwise.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct; and the capital stock may be increased if deemed proper; and the shares of stock in said company shall be deemed and held as personal estate.

1865.

Capital stock.

§ 4. The affairs of said company shall be managed by three directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board of directors shall consist of Sanders Eaves, David W. Eaves, and Jos. S. Eaves, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors thus chosen shall continue in office for one year, or until their successors are elected. If any of the directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else. They may adopt such by-laws and rules, and alter, amend, or repeal the same, from time to time, for the government of the corporation and management of its affairs and business, as they deem proper, not inconsistent with the laws and constitution of the State. The said corporation, or any of them, may open books and receive subscriptions to the capital stock of said company, and give such notice thereof, times, places, &c., as may be deemed proper. Whenever fifty thousand dollars of the capital stock of said company is subscribed, and ten per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year, or until their successors are elected, as provided herein; and may make such calls of payment of stock as they may deem proper, not to exceed twenty per cent. for every thirty days; and in default of payment, the by-laws of said company may authorize a forfeiture of stock; they may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as they may fix; and, by their by-laws, regulate and fix the mode of keeping their records; and may use a common seal, and alter the same at pleasure; and sue and be sued, and maintain any action, whether as plaintiff or defendant, in any of the courts of this Commonwealth.

Who to conduct business.

First board of directors.

May make by-laws.

May open books.

When directors to be elected.

Officers to be appointed.

§ 5. No banking privileges are granted by this act, which shall take effect from its passage.

Approved May 31, 1865.

1865.

CHAPTER 1573.

AN ACT to incorporate the Beech Fork Coal, Oil, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That Anthony C. McElroy, Jas. R. Hughes, Samuel R. Grundy, John M. Smith, Charles R. McElroy, R. O. Brown, S. R. Thomas, and J. H. Chandler, and their associates and successors, be, and they are hereby, created a body corporate and politic, by the name of the "Beech Fork Coal, Oil, and Mining Company," with all the powers and authority incident to corporators and corporations, for the purposes hereinafter mentioned, and with all the general and special powers, privileges, and immunities which have been and may be granted by this General Assembly to any corporation or corporations chartered for similar purposes.

May hold lands

§ 2. The corporation is hereby authorized and empowered to purchase, sell, hold, and dispose of lands, in fee simple and by lease, for mining and boring for petroleum and other oils and minerals of whatsoever kind, and to manufacture, refine, transport, and vend the same.

Capital stock.

§ 3. The capital stock of the corporation shall not exceed two hundred and fifty thousand dollars, and divided into shares of not less than five nor more than five hundred dollars each, which shares may be issued and transferred in such manner and upon such conditions, and under such rules of forfeiture for non-payment of calls of assessments, as the board of directors of such corporation may direct; and the liability of shareholders shall extend to, and be limited by, the amount of stock held by them respectively.

Who to man-
age affairs of
corporation.

First board of
directors.

§ 4. The affairs of said corporation shall be managed by three or more directors, one of whom shall be president, and all of whom shall be stockholders in said corporation. The first board of directors shall consist of Anthony C. McElroy, James R. Hughes, Samuel R. Grundy, John M. Smith, and Charles R. McElroy, who shall continue in office for one year, or until their successors are elected by a majority in interest of the stockholders of said corporation, which said corporation may exist in perpetuity; and the directors thus elected, and their successors, in perpetual succession, shall continue in office for one year, and until their successors are elected and enter upon their duties; If any of the above named directors shall decline, or refuse to act, a majority of those remaining shall have power to fill such vacancy. They may adopt such by-laws and rules for the government of the corporation and management of its affairs as they deem proper, not inconsistent with the constitution of the State and of the United

May make by-
laws.

States. The said corporators, or any of them, may open books for, and receive subscriptions to, the capital stock of said company hereby incorporated, at such times and places, upon such notice, and coupled with such conditions, as the board of directors may determine. The board of directors of such corporation may fill vacancies occasioned by death, resignation, or otherwise; they may make such call for the payment of stock as they may deem proper, and in the event of non-payment may forfeit the stock of the defaulting shareholder, or collect the same by suit, as they may elect; right of way is hereby granted to said corporation over any lands, and on and along any water courses within the State, with power and authority to condemn the same to their use in the same manner, and subject to such restrictions, as are and have been given to and imposed upon any similar corporation heretofore chartered by the General Assembly of Kentucky; and with power and authority to construct and operate over the right of way thus granted common and turnpike roads and railroads, and to build and maintain on and along such water courses locks and dams, and other fixtures and appliances for slack water navigation, to and from and between the site or sites of their mines and oil wells, and the reliably navigable waters within or bordering upon the State; with the right, power, and authority, when such roads, railroads, and improved navigation shall be used by any other party or parties for travel or traffic, to charge for such use such reasonable rates permitted by law to be charged by other corporations specially chartered for, and authorized to furnish and perform similar facilities and services. The board of directors may keep their office or offices at such place or places as the interest of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such other officers as they may deem necessary, and fix their compensation, and by their by-laws regulate the mode of keeping their records, to insure a just exhibit and administration of their affairs: *Provided*, That no such right of way shall be granted unless said company shall, by proper proceedings, first cause the land or water course to be condemned, and shall first pay the assessed value of the same to the owner or into court.

§ 5. Nothing contained in this charter shall be construed as conferring banking privileges upon the corporation.

§ 6. This act to take effect from its passage.

1865.

May open books.

Vacancies.

Stock may be forfeited.

Right of way.

May build turnpike roads, &c.

Where to keep office.

Officers to be appointed.

No banking powers.

Approved May 31, 1865

1865.

CHAPTER 1574.

AN ACT to charter the Kentucky and Tennessee Oil, Mining, Manufacturing, and Transportation Company

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

Corporators'
names, and cor-
porate powers.

§ 1. That E. T. Saires, Hervey Helm, Daniel Leasure, J. M. Hocker, Jesse Dunn, and William A. Hoskins, and their successors, are hereby declared a body-politic and corporate, under the name and style of the "Kentucky and Tennessee Mining, Manufacturing, and Transportation Company;" and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter the same at pleasure; may purchase, hold, and convey any real estate necessary or appropriately connected with the business of said company; and may make such rules, regulations, and by-laws, for the government of their own affairs as they think proper, not inconsistent with the constitution of this State or of the United States.

Capital stock.

§ 2. The capital stock of said company shall consist of one million dollars, divided into twenty thousand shares of fifty dollars each: *And it is further provided*, That said company may receive lands, oil wells, coal mines, and mines of any kind of minerals, held by any kind of lawful tenure, to constitute a part or the whole of the capital stock of said company, on such terms as may be agreed upon by the owners of such lands, &c., and the company; and the shares of said company shall be deemed personal property, and may be transferred upon the books of the company.

Business of
corporation.

§ 3. The business of said company shall be the development of the oil, coal, zinc, lead, iron, and other minerals or mineral substances of the Cumberland river and its tributaries, and the manufacture of lumber, and other productions of the country, and the transportation of the raw materials or manufactured articles to market; and to this end said company may purchase, construct, and own wharves and landings on said river or its tributaries, and may improve the navigation of the Cumberland river, or any of its tributaries necessary for the transportation of their products, by locks and dams, or otherwise, subject to the control of the Board of Internal Improvement of the State, and when the improvements are completed may charge the same rate of tolls as is charged on the Kentucky river for similar improvements; may construct boats of any description, erect furnaces, iron, zinc, and copper works, machine shops, oil refineries, salt works, mills, and general manufacturing establishments; may construct turnpikes and railroads to and from any of the company's

works, mines, wells, or depots to any points within the State of Kentucky where the company may wish to deliver its raw materials or manufactured articles; and when completed may charge such rates of toll, per capita and per ton, as may be charged on the Danville and Hustonville turnpike road, and the Louisville and Nashville railroad.

1865.

§ 4. Said company shall have power and authority to appoint one or more of its members or other persons to manage, control, and direct the business of the company according to the by-laws, rules, and regulations which may be, from time to time, adopted by said company for its government and the transaction of its business.

Who to conduct business.

§ 5. This act to take effect from its passage.

Approved May 31, 1865.

CHAPTER 1575.

AN ACT to incorporate the Lost Pond Petroleum, Oil, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That John G. McFarland, Henry W. Warfield, John Glenn, William B. Tyler, and James Weir, and their associates and successors, be, and they are hereby, created a body corporate and politic, by the name of the "Lost Pond Petroleum, Oil, Coal, and Mining Company," with all the power and authority incident to corporators and corporations for the purposes hereinafter mentioned, and with all the general and special powers, privileges, and immunities which have been and may be granted by law to any corporation chartered for similar purposes.

Corporators' names, and corporate powers.

§ 2. The corporation is hereby authorized and empowered to purchase, sell, hold, and dispose of lands, in fee simple and by lease, for mining and boring for petroleum and other oils and minerals of whatsoever kind, and to manufacture, refine, transport, and vend the same.

May hold lands

§ 3. The capital stock of said corporation shall be \$1,000,000, and divided into shares of not less than five nor more than five hundred dollars each, which shares may be issued and transferred in such manner, and upon such terms and conditions, and under such rules of forfeiture for non-payment of calls and assessments, as the board of directors may direct; and the liability of shareholders shall extend to, and be limited by, the amount of stock held by them respectively.

Capital stock.

§ 4. The affairs of said corporation shall be managed by three or more directors, one of whom shall be president, and all of whom shall be stockholders. The first board of directors shall consist of W. B. Tyler, James Weir, and any other one or more appointed by them, who shall con-

Who to manage affairs of corporation.

1865.

May make by-laws.

May open books.

Vacancies.

Right of way.

Office where kept.

Officers to be appointed.

tinue in office for one year, or until their successors are elected by a majority in interest of the stockholders of said corporation, which said corporation may exist in perpetuity; and the directors thus elected, and their successors in perpetual succession, shall continue in office for one year, and until their successors are elected and enter upon their duties. If any of the above named directors shall decline or refuse to act, a majority of those remaining shall have power to fill such vacancy. They may adopt such by-laws and rules for the regulation and government of the corporation and management of its affairs as they may deem proper, not inconsistent with the laws and constitution of the State and constitution of the United States. The said corporators, or any of them, may open books for, and receive subscription to the capital stock of said company hereby incorporated, at such times and places, upon such notice, and coupled with such conditions, as the board of directors may determine; the board of directors of such corporation may fill vacancies occasioned by death, resignation, or otherwise; they may make such call for the payment of stock as they may deem proper, and in event of non-payment may forfeit the stock of the defaulting shareholder, or collect the same by suit, as they may elect; right of way is hereby granted to said corporation over any lands, and on and along any water course within the State, with power and authority to condemn the same to their use in the same manner, and subject to such restrictions, as are and have been given to and imposed upon any similar corporation heretofore chartered by the General Assembly of Kentucky; and with power and authority to construct and operate over the right way thus granted common and turnpike roads and railroads; and to build and maintain on and along such water courses locks and dams, and other fixtures and appliances for slack water navigation, to and from and between the site or sites of their mines and oil wells, and the markets for the sale and storage of their products and to and from and between such mines and oil wells and the reliably navigable waters within and bordering upon the State, with the right, power, and authority, when such roads, railroads, and improved navigation shall be used by any other party or parties for travel or traffic, to charge for such use such reasonable rates of toll as the board of directors may determine, not exceeding the rates permitted by law to be charged by other corporations specially chartered for and authorized to furnish and perform similar facilities for transportation; the board of directors may keep their office or offices at such place or places as the interest of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such

1865.

other officers as they may deem necessary, and fix their compensation, and by their by-laws regulate the mode of keeping their records, to insure a just exhibit and administration of their affairs: *Provided*, No such right of way over lands or on or along water courses, shall be condemned for the use of said corporation, except by the proper proceedings in the circuit court of the county where said land or water course is situated, and until the assessed value of the same, by the verdict of a jury and judgment of the court, is paid to the owner or owners of said land or water course or into court.

§ 5. This act to take effect from its passage.

Approved May 31, 1865.

CHAPTER 1576.

AN ACT to incorporate the Excelsior Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That R. H. Woolfolk, W. C. Hite, J. H. Lindenger, and E. D. Tyler, and C. S. Tucker, of the city of Louisville, Kentucky, and their successors and assigns, are hereby created a body corporate and politic, by the name of the Excelsior Oil and Mining Company, and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this Commonwealth.

Corporators' names, and corporate powers.

§ 2. That this company shall have power to purchase and hold such estate in Kentucky and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products and deposits in the earth; to extract, to take out, develop, smelt, refine, reduce, manufacture, and prepare for market any or all of said minerals, products, or deposits, and to transport and sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property deemed necessary or proper in the carrying on said business or any part thereof; to sell, convey, transfer, or assign all or any part or interest in any of said estate, real or personal, corporeal or incorporeal; and to exercise any necessary and proper powers

May hold lands.

Business of corporation.

1865.

to carry out the express powers herein granted ; but nothing herein contained shall be construed as granting to the said company any banking powers.

Capital stock.

First board of directors.

May open books.

When to commence operations.

§ 3. The capital stock of said company shall not exceed two million five hundred thousand dollars, to be divided into shares of ten dollars each, which shares shall be personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company ; and the said persons and their associates and successors named in the first section of this act shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified ; and they, or a majority of them, shall have power to open books for subscription of stock, and prescribe in the terms of subscription the manner of payment, and the grounds of forfeiture of stock subscribed for and not paid in as required ; and when not less than one hundred and fifty thousand dollars are subscribed and such portion thereof paid in as the said directors shall require to be paid cash, the company may proceed to business, and the board, or a majority of them, shall organize by electing one of their number to be president of the company and to preside at meetings of the board.

Annual elections.

§ 4. The said president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than five nor more than nine directors, who, when elected in each year, shall choose one of their number as president as aforesaid ; and the president and directors shall hold their offices until their successors are elected ; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections as shall be provided in the by-laws.

How stock voted.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings, and must be voted by the holder in person or by virtue of a written proxy signed by the holder ; and no person shall be voted for or hold the office of director who does not own at least five shares of the said capital stock.

Officers to be appointed.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all the necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and security of such of its officers and in such amount and penalty as it may deem proper, the better to secure the faithful discharge of their duties.

Dividends.

§ 7. And the said company may, from time to time, as it may see proper, make, declare, and pay dividends of profits and distribute its net receipts and the proceeds of

sales amongst the stockholders *pro rata* according to the amount held by each.

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§ 8. This act shall take effect from and after its passage.

Approved May 31, 1865.

CHAPTER 1577.

AN ACT to incorporate the Breckinridge Agricultural and Mechanical Society.

WHEREAS, Divers citizens of Breckinridge and adjoining counties have organized an association under the name and style of the "Breckinridge Agricultural and Mechanical Society," for the purpose of improvement in agriculture in its various branches, the mechanic arts, &c., and having chosen a president, executive committee, &c.; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That said association be, and is hereby, created a body-politic and corporate, in perpetuity, under the name and style of the "Breckinridge Agricultural and Mechanical Society," and by that name may trade and do business as a private individual, may sue and be sued, may acquire and possess lands and property, real and personal, and dispose of the same at pleasure; may adopt a corporate seal and change the same at will; may adopt a constitution and by-laws, and change the same if need be.

§ 2. The president and directors, and all officers when elected under the regulations and by-laws, shall continue in office until their successors shall be elected and qualified; the elections and appointments of officers, the prudential, fiscal, and other concerns of said society, shall be held, controlled, and managed in such manner and at such times and places as the constitution and by-laws may direct.

§ 3. That said society, under the direction of the president and executive committee, may open books for the subscription of stock in said society, may fix the shares of stock and provide for life-membership, which stock and life-membership shall be deemed personal estate, and be assignable in law; and said society may annually, or oftener, at Cloverport, hold exhibitions or fairs of the agricultural productions, and the mechanical improvements and inventions of Breckinridge and adjoining counties in Kentucky, and Perry and other counties in the State of Indiana, or elsewhere, at which exhibitions or fairs all the branches of industry, of whatever kind, beneficial to man, may be put in competition, and premiums awarded to the better specimens of each.

§ 4. This act to take effect from its passage.

Approved May 31, 1865.

1865.

CHAPTER 1578.

AN ACT to incorporate Hart Lodge, No. 61, of Free and Accepted Masons.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the members, and those who may hereafter become members of Hart Lodge, No. 61, of Free and Accepted Masons, in the town of Nicholasville, Jessamine county, Kentucky, shall be, and are hereby, constituted a body-corporate and politic, in the name and style of "Hart Lodge, No. 61, of Free and Accepted Masons," and by that name and style shall have perpetual existence, and be capable of contracting and being contracted with, to sue and be sued, to plead and be inpleaded, in all the courts of law and equity in this Commonwealth; of purchasing and holding such real and personal estate and property as may be required for the use and purposes of said lodge; to sell and convey the same at pleasure, and in such manner as they may desire: *Provided*, That the amount invested in real estate at any one time shall not exceed the sum of twenty-five thousand dollars.

§ 2. That the management of the real and personal estate, and the financial affairs of said corporation, shall be invested in five trustees, and their successors in office, as may be appointed by said corporation.

§ 3. That said corporation shall have power, in such manner as they may deem proper, to pass such by-laws, rules, and regulations, not inconsistent with the constitution and laws of the United States and the State of Kentucky, as may be necessary for the safe-keeping, management, and control of the property and other interest of said corporation; and may use a common seal, and change the same at pleasure.

§ 4. This act to take effect from its passage.

Approved May 31, 1865.

CHAPTER 1580.

AN ACT to incorporate the Kentucky Presbytery of the Cumberland Presbyterian Church.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That H. A. Hunter, R. D. Blair, D. Hockersmith, N. C. Hamblin, J. B. Green, J. B. Madden, S. B. Howard, J. H. Ramsey, and R. H. Caldwell, be, and they are hereby, incorporated and declared a body-politic, by and under the name and style of the "Kentucky Presbytery of the Cumberland Presbyterian Church;" and they and their successors in office under and by that name, to have perpetual succession, sue and be sued, hold and acquire property and

estate, real and personal, which may be necessary and proper for religious and educational purposes, which shall be held for the sole use and benefit of the presbytery of said church, under whose control said corporation shall be, with full powers to said presbytery to appoint, from time to time, corporators in place and lieu of the above named persons, or any of them. 1865.

§ 2. The above named persons, or their successors in office, shall have full and ample power, under the direction of said presbytery, to sell and convey any property and estate which they may acquire for the uses aforesaid.

§ 3. The said presbytery may reduce the names of the corporators to five, whose powers and duties shall be same as those given to the persons above named.

§ 4. The said corporation shall have the same powers and perform the same duties which corporations of a similar kind have under the general laws.

§ 5. Before assuming the performance of the duties and trusts above named, the corporators aforesaid, or any others who may assume the same, must be duly sworn to perform faithfully said duties and trusts to the best of their skill and ability.

§ 6. This act to take effect from its passage.

Approved May 31, 1865.

CHAPTER 1581.

AN ACT for the benefit of Somerset Lodge, No. 111, of Free and Accepted Masons.

WHEREAS, Pulaski Lodge, No. 111, and Curd Lodge, No. 175, of Free and Accepted Masons, has been consolidated, and are now known as Somerset Lodge, No. 111; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all moneys, or other property belonging to said lodges, is vested in Somerset Lodge, No. 111.

§ 2. Somerset Lodge, No. 111, is declared a body-politic and corporate, with power to sue and be sued, to hold real estate, and transact business necessary to its existence as a corporate body.

§ 3. This act to take effect from its passage.

Approved May 31, 1865.

1865.

CHAPTER 1582.

AN ACT for the benefit of James Ellis, Assessor of McLean County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That James Ellis, assessor of McLean county, shall have until the 20th day of June next to return his commissioner's books to the county court of said county.

§ 2. This act shall take effect from and after its passage.

Approved May 31, 1865.

CHAPTER 1583.

AN ACT for the benefit of W. J. Bruer.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That further time, until the first of September, 1865, be given to W. J. Bruer, sheriff of Henry county, within which to collect and pay into the treasury the taxes of said county for the year 1864, and to return his delinquent list: *Provided*, Before he shall have the benefit of this act, his securities shall, in open court, to be entered in the records of said court, consent to remain bound upon his bond given for the collection of said taxes.

§ 2. This act shall be in force from its passage.

Approved May 31, 1865.

CHAPTER 1585.

AN ACT for the benefit of Isham G. Hamilton, late Clerk of the Boone County Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time of two years be given to Isham G. Hamilton, late clerk of the Boone county court, to collect and distrain for all his uncollected fee bills: *Provided, however*, That in collecting the same he shall be liable to all the pains and penalties now prescribed by law for issuing or collecting illegal fee bills.

§ 2. This act shall take effect from its passage.

Approved May 31, 1865.

CHAPTER 1586.

1865.

AN ACT for the benefit of Milton Hamilton, late Clerk of the County and Circuit Courts of Boone County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time of two years be given Milton Hamilton, late clerk of the Boone county and circuit courts, in which to collect and distrain for all his uncollected fee bills: *Provided, however,* That in collecting the same he shall be liable to all the penalties now prescribed by law for issuing or collecting illegal fee bills.

§ 2. This act to take effect from its passage.

Approved May 31, 1865.

CHAPTER 1587.

AN ACT for the benefit of the Police Judge of Eddyville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Lyon county shall have power to authorize the police judge of Eddyville to solemnize the rights of matrimony, in the same way and subject to the restrictions imposed upon justices of the peace in such cases.

§ 2. This act shall be in force from its passage.

Approved May 31, 1865.

CHAPTER 1588.

AN ACT in reference to the office of Jailer of Greenup County.

WHEREAS, Allen Myers failed to give bond and take the oath of office as jailer of Greenup county, in pursuance of the twelfth section of chapter seventy-one, of the Revised Statutes, in the time allowed by law, by reason of which he has become ineligible for two years thereafter; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the said Allen Myers shall be, and is hereby, declared re-eligible to appointment or election and qualification as jailer of Greenup county, said disability contained in said section to the contrary notwithstanding.

§ 2. This act to be in force from its passage.

Approved May 31, 1865.

1865.

CHAPTER 1589.

AN ACT for the benefit of George E. Porter and J. N. Eskridge, of Grayson County.

WHEREAS, It is represented to this General Assembly that the surveyor of Grayson county surveyed and laid off for Geo. E. Porter and J. N. Eskridge, on the 19th day of February, 1864, one hundred and ninety-eight acres of land in said county, and by mistake omitted to state the full and correct name of said Porter, but returned the survey to the land office in the name of E. Porter and J. N. Eskridge, in which names grant issued on the 26th of May, 1864; now, therefore, for remedy whereof,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Register of the Land Office be, and he is hereby, authorized and directed to correct said grant, by interlineation in the original and upon the record, so as to give therein the full proper name of said Porter as herein before recited, and said grant shall be as valid as though originally issued to George E. Porter and J. N. Eskridge.

§ 2. This act shall be in force from its passage.

Approved May 31, 1865.

CHAPTER 1590.

AN ACT to authorize the County Court of Taylor county to levy a tax to build a Court-house and Clerks' offices.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Taylor county may, at any regular term of said court, the justices of the peace of said county being summoned and a majority of them being present and concurring therein, shall have power to levy an ad valorem tax, not exceeding twenty cents in any one year, upon each hundred dollars' worth of property subject to taxation for State revenue, as it appears upon the commissioner's book of tax for said county for each year, for the purpose of building a court-house and one or more clerks' offices for said county; the sheriff of said county shall collect said tax at the same time and in the same manner that he collects the State revenue; and he and his sureties in his official bond shall be responsible in the same manner and to the same extent, including damages for the non-collection or non-payment of the same, as they are now by law responsible for the State revenue, except that the proceedings against them shall be in the Taylor circuit court, by motion; he shall account for and pay said tax at the same term that by law he is required to account for and pay the county levy for said county, and shall receive the same commissions for the collection of the same.

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§ 2. That if the said county court, a majority of the justices being present and concurring therein, shall deem it proper, they may borrow the money for the purpose of building said court-house and clerks' offices, at any rates of interest not exceeding eight per cent. per annum, to be paid as may be stipulated in said bonds; the said bonds shall be payable, principal and interest, in not more than ten years; they shall be signed by the county judge of said county and countersigned by the clerk; and the amount of said bonds, date, when payable, and to whom issued, shall be entered upon the order book of said county as they are issued; said bonds shall pass by assignment as ordinary promissory notes do by law. In case said court shall borrow said money, they shall apply the tax provided for in the first section of this act to the payment of the principal and interest as it shall fall due of said bonds and nothing else.

§ 3. That the tax provided for in this act shall not be commenced to be collected until the year 1866.

Approved May 31, 1865.

CHAPTER 1591.

AN ACT for the benefit of J. C. Vanarsdale, Sheriff of Mercer County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That further time, until the first day of October next, is given J. C. Vanarsdale, sheriff of Mercer county for the year 1864, to pay the balance due on the revenue, and to make out and return his delinquent list for said year.

§ 2. This act to take effect from the date of its passage.

Approved May 31, 1865.

CHAPTER 1592.

AN ACT to amend the road law of Mason County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all local road laws in relation to working the public roads in Mason county, except as to incorporated turnpike road companies, be repealed.

§ 2. That the general road law of this Commonwealth, except as herein modified or changed, be the road law in said county. 1. A poll tax of one dollar is imposed on all persons liable by law to work the public roads, and a *pro rata* tax, not exceeding five cents on each one hundred dol-

1865.

lars' worth of their taxable property as returned by the assessor each year. 2. That any person failing to attend with proper tools and work out these taxes when required and notified according to law by the surveyor of his road precinct, or shall fail to labor when in attendance, or furnish a substitute, unless he has a reasonable excuse, in addition to the fine imposed by law shall, in the same proceedings, be adjudged to pay the amount of his taxes with twenty per cent. added, and the costs of the proceedings, the taxes to go as provided in relation to the fine: *Provided*, That any person so choosing shall, at or before the time of working, be allowed to pay the amount of such taxes in money to the surveyor in commutation of work, the money to be used by the surveyor and accounted for by him as required by law in relation to fines.

§ 3. Upon presentation to the clerk of the county court of a list of taxable persons in his precinct by the surveyor, the clerk shall furnish him with the amount of taxable property, as returned by the assessor; and for this service the clerk shall be paid one cent per list out of the county levy.

§ 4. The proceedings to enforce the provisions of this law against the tax-payer shall be in the name of the Commonwealth, before any justice of the peace within his voting district, with the right of appeal to the county court.

§ 5. The surveyor may be fined by the county court for failing to report as required in section 1st of an act to amend the 23d section of chapter 84 of the Revised Statutes, approved December 10, 1861.

§ 6. This act to be in force from and after its passage.

Approved May 31, 1865.

CHAPTER 1593.

AN ACT for the benefit of the sureties of W. B. Simmons, late Sheriff of Meade County.

WHEREAS, Walter B. Simmons, late sheriff of Meade county, failed to collect the revenue tax and county levy in said county of Meade for the years 1863 and 1864, and made default; he also made other defalcations and incurred other liabilities in said office, and a great portion of the taxes and fee bills of said years, and some for other years, remain unpaid and uncollected; and whereas, the securities of said Simmons sued him in the Meade circuit court, and attached the said effects, enjoining the collection thereof by him; and whereas, they are unable to get any one to act as a collector and receiver thereof, and to take charge of the said attached effects, and said Simmons has left the State of Kentucky; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

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§ 1. That it shall be lawful for the judge of the Meade circuit court, in vacation or term time, to appoint for this case some one of the securities, plaintiffs in said action against said Simmons, a receiver in said action in said court to collect and receive the effects so attached therein, and report the same to court; and in making the appointment the judge shall be governed by the general law upon the subject of appointing receivers, so far as not altered and changed by this act; and the receiver so appointed shall have the same right and power to collect said taxes, fee bills, and effects attached, that said Simmons would have had.

§ 2. That in all cases where executions had come to the hands of said Simmons, or his deputy or predecessor in office, and were levied upon property, and now remaining undisposed of and unsold, all such levies on executions or *venditioni exponas* shall be by the clerk of the Meade circuit court re-issued to the present sheriff of Meade county, indorsing such levy thereon, commanding him to dispose thereof as commanded; and all his acts shall be as valid and legal as though done by the sheriff making the levy.

§ 3. This act shall take effect from and after its passage.

Approved May 31, 1865.

CHAPTER 1595.

AN ACT for the benefit of Thomas Wallace.

WHEREAS, It is represented to this General Assembly that Thomas Wallace is the owner of the ferry privileges from this State across the Ohio river at the town of Catlettsburg, and also from said place across the Big Sandy river to Virginia, and also from Virginia and Ohio to Kentucky; and that the said Wallace is about to become a citizen of Ohio, owning property therein, and that the division of said ferry privileges across said rivers would be to the injury of the public; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That if the said Wallace shall become a non-resident of this State, the same shall not work a forfeiture of his said ferry franchises granted by this State, any law to the contrary: *Provided*, That the said Wallace shall execute in the Boyd county courts the covenants required by law, and shall annually, at the January or February terms of

1865. said courts, execute in said courts, with resident security, to be approved of by the court, such covenants conditioned as the law requires the bonds or covenants of ferry-keepers to be.

§ 2. This act shall be in force from its passage.

Approved May 31, 1865.

CHAPTER 1596.

AN ACT for the benefit of J. B. McWhorter.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That time until the 1st day of September, 1865, is given to J. B. McWhorter, sheriff of Taylor county, within which to pay over into the State Treasury the revenue of said county for 1864, and to return his delinquent list for said year to the Auditor: *Provided*, That before he shall have the benefit of this act, the sureties of said McWhorter shall, in the county court of said county, in open court, to be entered on its records, consent to remain bound for said McWhorter for any failure to comply with the law in the collection and payment of the taxes of said county.

§ 2. This act shall be in force from its passage.

Approved May 31, 1865.

CHAPTER 1597.

AN ACT to change the Voting Place in Crooked Creek Precinct, in Estill County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the voting place of election district No. 3, in Estill county, known as Crooked creek precinct, be changed from the foot of Dug Hill, where it now is, to the top of the Dug Hill, where there is a house and spring, on the lands of John C. Lane.

§ 2. This act to take effect from its passage.

Approved May 31, 1865.

CHAPTER 1599.

1865.

AN ACT repealing an act establishing a toll-bridge over Obion River, in Hickman County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act, entitled "An act establishing a toll-bridge over Obion river, in Hickman county," approved January 20, 1865, be, and is hereby, repealed.

§ 2. That this act take effect from its passage.

Approved May 31, 1865.

CHAPTER 1600.

AN ACT in relation to Mills in Catlettsburg and its neighborhood.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 14 of chapter 67, of the Revised Statutes, title "Mills," so far as it shall apply to the town of Catlettsburg and the territory within one mile of said town, be hereby repealed.

§ 2. This act shall be in force from its passage.

Approved May 31, 1865.

CHAPTER 1601.

AN ACT to amend an act, entitled "An act for the benefit of A. A. Curtis, of Estill county, and others," approved March 3d, 1865.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the first section of an act, entitled "An act for the benefit of A. A. Curtis, of Estill county, and others," approved 3d of March, 1865, be, and the same is, so amended as to read Clement R. Edwards, of Bowling Green, Kentucky, instead of J. R. Edwards.

§ 2. This act to take effect from its passage.

Approved May 31, 1865.

CHAPTER 1602.

AN ACT to prevent the setting of fish nets and drawing seines in Harrod's Creek.

WHEREAS, It is represented to this General Assembly that persons, many of them non-residents of the State, are in the habit of setting nets and drawing seines in Harrod's Creek, whereby the fish are prevented from ascending said stream, and great quantities annually destroyed; for remedy whereof,

1865.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That from and after the passage of this act, it shall be unlawful for any one to set a fishing net across the mouth of Harrod's creek, or to draw a seine at any place in said creek from the mouth thereof up to where the road leading from Lagrange to Westport crosses said creek; or to draw a seine in the south fork of said creek as high up as where the turnpike road from Brownsboro to Louisville crosses said creek.

§ 2. If any one shall violate the provisions of this act, he shall be fined not less than five nor more than twenty-five dollars, to be recovered by warrant before a justice of the peace, and to be accounted for as other fines.

§ 3. The defendant, upon conviction, shall stand committed until the fine and costs are paid in the jail of the county, at the rate of two dollars per day.

§ 4. This act shall take effect from its passage.

Approved May 31, 1865.

CHAPTER 1604.

AN ACT to increase the Capital Stock of the Muhlenburg Petroleum, Oil, Coal, and Salt Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That so much of the act approved January 27, 1865, incorporating the Muhlenburg Petroleum, Oil, Coal, and Salt Company, as limits the capital stock to five hundred thousand dollars, be repealed, and that the capital stock of said company shall be one million dollars.

§ 2. This act to take effect from its passage.

Approved May 31, 1865.

CHAPTER 1605.

AN ACT to protect Fish in the streams of South Elkhorn and Clear Creek, in Woodford County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That it shall not be lawful for any person or persons to haul a seine or drag net for taking fish at any point in South Elkhorn within the limits of Woodford county: *Provided*, It shall not be unlawful to catch or take minnows, or other small fish, for bait, but for no other purpose.

§ 2. That each and every person who shall be guilty of a violation of this act, shall, for each and every offense, be subject to a fine of twenty-five dollars, recoverable by

1865.

warrant in the name of the Commonwealth of Kentucky, before any magistrate or justice of the peace; one half of such fine shall go to the informer, the other half to the Commonwealth, except that thirty per cent. thereof shall go to the county attorney, when he is present and prosecutes the case.

§ 3. Any person found guilty of a violation of this act shall stand committed to the county jail until the fine and costs are paid, or satisfied by imprisonment, at the rate of one day for each two dollars of the fine imposed.

§ 4. *Be it further enacted*, That the provisions of this act shall apply to the stream of Clear creek, in Woodford county, from the two forks of the same to its mouth, except that it shall not be lawful to catch or take minnows or other small fish from said creek for bait, or other purposes.

§ 5. This act shall be in force from its passage.

Approved May 31, 1865.

CHAPTER 1606.

AN ACT to incorporate the Oil Valley Petroleum and Mining Company, of Louisville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That D. B. Hutchins, T. D. Stith, Wm. H. Dix, T. D. Fox, Wm. S. Mathews, William Kaye, John B. Davis, Theo. Harris, and John G. Hansbrough, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Oil Valley Petroleum and Mining Company, Louisville, Kentucky," and by that name and style shall have perpetual succession, with power to contract and be contracted with, sue and be sued, in that name, in all the courts and places; to have a common seal; to engage in mining and boring for petroleum and minerals, and in transporting and selling oil and minerals, and other products of said business and of the lands now owned or which may hereafter be owned by them in this State; to hold their meetings, and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

Corporators' names, and corporate powers.

§ 2. That said corporators may organize said company by the appointment of a president, and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given; and when thus organized, the said company shall have power to make such by-laws, rules, and regulations as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation,

Organization of company.

May make by-laws.

1865. not inconsistent with the constitution and laws of the United States and of this State.

Capital stock. § 3. The capital stock of said company shall be five hundred thousand dollars, and said company shall have power to increase the same, from time to time, not exceeding one million dollars.

May hold lands § 4. The said company may buy, lease, or rent, any suitable lands, mines, and petroleum rights and privileges, rights of way and other property, necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise; they may receive real estate, leaseholds, mining and boring rights, and rights of way, in payment of such part of subscriptions as they may deem advisable. Said company may erect and build on any of their lands such buildings, engines, machinery, and fixtures as may be deemed convenient and proper for carrying on and conducting the business of said corporation.

May erect buildings.

§ 5. That this act shall take effect from and after its passage; and the right to repeal, alter, or amend this charter is reserved to the General Assembly of Kentucky.

Approved May 31, 1865.

CHAPTER 1607.

AN ACT to charter Casey County Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names. § 1. That D. P. Henderson, Wm. Terry, G. T. Whitney, James M. Bryant, Theodore Harris, J. T. Boyle, and J. S. Newberry, and their successors, be, and they are hereby, created a body corporate and politic, by the name of "The Casey County Petroleum Company," for the term of thirty years, with all the powers and authority incident to corporations, for the purposes hereinafter mentioned.

Corporate powers. § 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum, and other oils and minerals, and to refine and vend the same.

Capital stock. § 3. The capital stock of the Casey County Petroleum Company shall be five hundred thousand dollars, and shall be divided into shares of not less than five nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct; and the capital stock may be increased by a meeting of the board of directors if deemed necessary.

§ 4. The affairs of the said company shall be managed by seven directors, one of whom shall be president, all of whom shall be stockholders in said corporation; the first board of directors shall consist of D. P. Henderson, Wm. Terry, Geo. T. Whitney, James M. Bryant, Theodore Harris, J. T. Boyle, J. S. Newberry, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors chosen by the stockholders shall continue in office for one year, or until their successors are elected. If any of the above named directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else. They may adopt such by-laws and rules for the government of the corporation and management of its affairs and business, as they may deem proper, not inconsistent with the constitution and laws of the State. The said corporation, or any of them, may open books of subscription and receive subscriptions to the capital stock of said company herein incorporated; and books of subscription may be opened, and subscriptions received, at such times and places, and upon such notices thereof, as any three of said incorporators may deem right and proper.

1865.
Who to conduct business.

Vacancies.

By-laws.

May open books.

§ 5. Whenever one hundred thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice shall be given of the time and place of election of a new board of directors, who shall hold office for one year, and as provided herein. The board of directors of said corporation may fill all vacancies occasioned by death, resignation, or otherwise; and may make such calls of payment of stock as they deem proper, not to exceed twenty per cent. for every thirty days. They may keep their office at such place or places as they deem to the interest of the corporation. They may appoint a secretary, treasurer, superintendent, and other officers as they may deem necessary, with such compensation for services as they may fix; and, by their by-laws, regulate and fix the mode of keeping their records as they may deem necessary.

When directors to be elected.

Where to keep office.

Officers to be appointed.

§ 6. This act shall take effect from its passage.

Approved May 31, 1865.

CHAPTER 1608.

AN ACT to incorporate the Peterman Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That M. T. Callahan, R. H. Whitmer, W. H. Leatherman, A. D. Woodson, John G. Newlee, John G. Eve,

Corporators' names, and corporate powers.

1865.

J. W. Schenck, jr., J. W. Schenck, sr., W. T. Dillard, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Peterman Mining Company," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company, not inconsistent with the constitution and laws of this State and of the United States.

Capital stock.

§ 2. The capital stock of said company shall not exceed one million dollars, which may be divided into shares, subscribed and paid for in such manner as said company may, by its by-laws, prescribe.

Who to conduct business.

§ 3. That said company shall have power to appoint one or more of its members, or other persons, to manage, contract, and direct the business of said company according to the by-laws, rules, and regulations which said company may adopt.

May acquire real estate.

Business of corporation.

§ 4. That said company may acquire such real and personal estate, by contract, as they may deem necessary or proper for carrying on the mining of coal, iron, lead, copper, or other valuable mineral substances, the procuring and manufacture of salt and lumber, and the transportation thereof to market, together with such quantities of land as may be necessary for the establishment of mills and landings, machinery, and depots for the same; and if such land cannot be procured, said company may have the same condemned by filing its petition with the clerk of the county court in which it is situated, and obtaining thereon the necessary writ of *ad quod damnum*, and procuring the regular condemnation thereof as required by law in the condemnation of lands for the use of turnpike roads: *Provided, however,* That no property shall be so taken without the value thereof being first paid.

Right of way.

Record of shareholders to be kept.

§ 5. That said company, when fully organized, shall cause a book to be opened, and report subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each, and the said shares may be transferred on said books in the manner to be prescribed by the by laws of said company; and each member may share the profits and liabilities of said company to the extent of, and in proportion to the amount of, capital stock he owns in said company.

Repealing clause.

§ 6. The Legislature reserves the right to repeal or alter this charter at will. Nothing contained in this charter

shall be construed into conferring banking powers on this company.

1865.

§ 7. This act to take effect from its passage, and remain in force thirty years, unless sooner repealed by the General Assembly.

Approved May 31, 1865

CHAPTER 1609.

AN ACT to incorporate the Putnam Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Wm. H. Clements, A. H. Lewis, A. G. Gower, G. A. Smith, M. D. Rawden, F. Hammer, and Jno. G. Eve, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Putnam Oil and Mining Company;" and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company, not inconsistent with the laws of this State and of the United States.

Corporators' names, and corporate powers.

§ 2. The capital stock of said company shall not exceed one million dollars, which may be divided into shares, and subscribed and paid for in such manner as said company may, by its by-laws, prescribe.

Capital stock.

§ 3. The said company shall have power to appoint any one or more of its members, or other persons, to manage, control, and direct the business of said company according to the by-laws, rules, and regulations which said company may adopt.

Who to conduct business.

§ 4. That said company may acquire and hold such real and personal estate, by contract, as they may deem necessary and proper for carrying on the mining of coal, iron, lead, copper, or other valuable mineral substances, the procuring and manufacturing of salt, oil, and lumber, and the transportation thereof to market, together with such quantities of land as may be necessary for the establishment of mills and landings, machinery, and depots for the same; and if such land cannot be procured, said company may have the same condemned by filing its petition for that purpose with the clerk of the county court in which it is situated, and obtaining thereon the necessary writs of *ad quod damnum*, and procuring the regular condemnation thereof as required by law in the condemnation of lands for the use of turnpike roads: *Provided, however,* That no property shall be so taken without the value thereof being first paid.

May acquire real estate.

Business of corporation.

Right of way.

1865.

Record of
shareholders to
be kept.

Stock trans-
ferable.

§ 5. The said company, when duly organized, shall cause a book to be opened, and report subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred on said books in a manner to be prescribed by the by-laws of said company; and each member may share the profits and liabilities of said company to the extent of, and in proportion to, the amount of stock he owns in said company.

"Repealing
clause.

§ 6. The Legislature reserves the right to repeal or alter this charter at will. Nothing contained in this charter shall be construed into conferring banking powers on this company.

§ 7. This act to take effect from its passage, and remain in force thirty years, unless sooner repealed by the General Assembly.

Approved May 31, 1865.

CHAPTER 1610.

AN ACT to incorporate the Garvin Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That Wm. Garvin, Chas. Miller, R. D. Spalding, E. J. Bainbridge, John B. Davies, and R. L. Brown, and their associates, successors, and assigns, be, and they are hereby, constituted a body-corporate and politic, by the name and style of "The Garvin Oil and Mining Company," and by that name and style shall have perpetual succession, with power to contract and be contracted with, sue and be sued in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum, and in the manufacturing, refining, and preparing for market, transporting, and selling oil and minerals, and of the lands now owned, or which may hereafter be owned by them in this State; to hold their meetings, and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

President and
other officers to
be appointed.

May make by-
laws.

§ 2. That said corporators may organize said company by the appointment of a president, and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given; and when thus organized, the said company shall have power to make such by-laws, rules and regulations, as they may deem necessary, from time to time, for the government and prosecution of the business of said corpora-

tion, not inconsistent with the Constitution and laws of the United States and of this State.

1865.

§ 3. The capital stock of said company shall be six hundred thousand dollars, divided into sixty thousand shares at ten dollars each.

Capital stock.

§ 4. The said company may buy, lease, or rent, any suitable lands, mines, and oil rights and privileges, rights of way, and other property, necessary for their business, and may dispose of same, or any portion of it, by sale or otherwise. They may receive real estate, leaseholds, mining and boring rights, and rights of way, in payment of such part of subscriptions as they may deem advisable. Said company may erect and build, on any of their lands, such building, engines, machinery and fixtures, as may be deemed convenient and proper for carrying on and conducting the business of said corporation.

May buy lands necessary to carry on business.

§ 5. That this act shall take effect from and after its passage, and the right to repeal, alter, or amend this charter, is reserved to the General Assembly.

Approved May 31, 1865.

CHAPTER 1611.

AN ACT to incorporate the Muldrow Hill Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Jesse Bayles, Scott Newman, and Thomas W. Gibson, and their associates and successors, are hereby constituted a body-corporate and politic, under the name and style of "The Muldrow Hill Petroleum Company," with power, under that name, to sue and be sued; issue and sell stock; purchase, hold, and sell land, in fee simple or by lease; and generally to do and perform acts as a corporation which an individual might lawfully do or perform.

§ 2. The corporators above named shall be and continue the directors of said corporation until their successors shall be elected and qualified; they may elect one of their own number president, and may elect a secretary and treasurer either of their own number or not.

§ 3. The capital stock of said company shall consist of three hundred thousand dollars, to be divided into shares of ten dollars each, but may be increased at any time by the board of directors, not to exceed one million of dollars; and such increased stock may be sold in the market to raise money to carry on the operations of said company.

§ 4. The number of directors, the manner and time of electing them and the officers of said company, the num-

1865.

ber of such officers and their duties, the manner of receiving subscription of stock, payable either in money, lands in fee or leasehold, or other property, of selling stock in the market, and, generally, all matters pertaining to the business and conduct of said corporation, shall be controlled and regulated by by-laws to be from time to time adopted by the president and directors of said company.

§ 5. The object and business of said corporation shall be confined to the digging for iron ore and coal, boring for oil, and making salt, and establishing and carrying on the necessary manufactory of oil and salt and iron, and providing of means to carry coal, oil, salt, iron, or iron ore, to market, and selling the same, and shall have the necessary powers to enable it to do so.

§ 6. The said powers shall continue for twenty years, and be subject to the general laws governing such corporations.

§ 7. This act shall take effect from its passage.

Approved May 31, 1865.

CHAPTER 1612.

AN ACT to incorporate the Rescue Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That A. W. Dudley, E. H. Taylor, Jacob Swigert, E. H. Watson, James M. Todd, R. Knott, W. A. Gaines, John Watson, W. H. Gray, P. Swigert, W. M. Todd, Sam. B. Thomas, R. P. Pepper, E. S. Theobald, and Hiram Berry, and their associates, successors, and assigns, be, and they are hereby, created a body corporate and politic, with perpetual succession, by the name of the "Rescue Petroleum and Mining Company," with all the powers and authority incident to corporations, or hitherto granted any corporation within this Commonwealth, for the uses and purposes hereinafter mentioned.

May acquire lands.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same; and to cut, raft, or float the timber from said lands, or build any and all kinds of floats, boats, mills, or other buildings, fixtures, and machinery deemed proper in order to further the operations of said corporation, or dispose of any portion or portions of its territory or other property deemed advisable, and convey the same by deed or otherwise.

Capital stock.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each, and

may be issued and transferred in such manner and upon such condition, as the board of directors of said corporation may direct; and the capital stock may be increased if deemed proper.

1865.

§ 4. The shares of stock in said company shall be deemed personal estate, and transferable on the books of the company as prescribed by the by-laws of the corporation.

Stock personal estate.

§ 5. The affairs of the company shall be managed by five directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board of directors shall consist of A. W. Dudley, E. H. Taylor, Jas. M. Todd, W. A. Gaines, and P. Swigert, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors thus chosen shall continue in office for one year, or until their successors are elected. If any of the directors shall decline, or refuse to act, any three of the others shall fill the vacancy by appointing some one else. They may adopt such by-laws and rules, and the same to alter, amend, or repeal, from time to time, in the general management of its property and business affairs, and the government of the corporation, as they deem proper, not inconsistent with the constitution and laws of the State. The said corporators, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated, and give such notice thereof, times, places, &c., as may be deemed proper. Whenever fifty thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year, or until their successors are elected, as provided herein; and may make such calls of payment of stock as they may deem proper, not to exceed twenty per cent. for every thirty days, and in default of payment, the by-laws of said company may authorize a forfeiture of stock; they may keep their office at such place or places as they may deem to the interest of the corporation; they may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as they may fix; and by their by-laws regulate and fix the mode of keeping their records as may be deemed necessary; and use a common seal, and alter the same at pleasure.

Who to conduct business.

Term of office.

Vacancies.

May make by-laws.

May open books.

When new board of directors to be elected.

Office where kept.

Officers to be appointed.

§ 6. No banking privileges are granted by this act, which shall take effect from its passage.

Approved May 31, 1865.

1865.

CHAPTER 1613.

AN ACT to incorporate the Mud River Oil and Mining Company.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*Corporators'
names, and
corporate pow-
ers.

§ 1. That E. A. Starling, William Starling, W. A. Sas-
seen, J. I. Landes, Thomas Jeffries, and their successors,
are hereby created a body-politic and corporate, by the
name of the "Mud River Oil and Mining Company," for
the term of thirty years, with all the powers and authority
incident to corporations; to make and to have a common
seal, and the same to alter and renew at pleasure; to sue
and be sued; to be capable, by their corporate name, of
purchasing, holding, and conveying any estate, real or
personal, necessary to enable them to carry on the objects
of their incorporation, as hereinafter mentioned.

Business of
corporation.

§ 2. The said company is hereby authorized to bore, dig,
or mine for petroleum or rock oil, salt, or other minerals,
and to manufacture and sell lumber, on any lands in the
State of Kentucky owned or held by said company, in fee
simple or on lease.

Capital stock.

§ 3. The capital stock of said company shall be one million
of dollars, to be divided into shares of not less than ten
dollars nor more than one hundred dollars each, to be issued
and transferred in such manner, and upon such conditions,
as the board of directors of said company may determine;
and the amount of the capital stock may be increased at
any time by a vote of a majority of the stockholders of the
said company at a meeting called for the purpose: *Pro-
vided*, The capital stock shall not at any time be increased
to more than two millions of dollars.

Who to con-
duct business.
President.

§ 4. The affairs of the said company shall be managed by
a board of five directors, a majority of whom shall consti-
tute a quorum for the transaction of business. The said
directors shall elect one of their number to be president of
the company; and no person shall be a director in said
company, unless he be at the same time a stockholder
therein.

First board
of directors.

The first board of directors shall consist of the
parties named in the first section hereof, who shall con-
tinue in office until their successors are elected by a ma-
jority in interest of the stockholders of said company; and

Term of office.

the board of directors chosen by the stockholders of said
company shall continue in office for one year, or until their
successors are elected and qualified. If any of the above

Vacancies.

named directors shall decline or refuse to act, a majority
of the others may fill the vacancy by appointing or choosing
some one else. They may adopt such by-laws, rules and
regulations, for the government of the said company, and
the management of its affairs and business, as they may
deem proper, not inconsistent with the laws of the State
or of the United States. The said corporators, or any

May make by-
laws.

of them, may open books of subscription, and receive subscriptions to the capital stock of said company; and such books may be opened, and such subscriptions received, at such times and places, and upon such notices thereof, as any three of said corporators may deem proper.

1865.

May open books.

§ 5. The said company are further authorized to erect proper warehouses and machinery for the storage, refining, and bonding of petroleum, coal, salt, or other minerals, at such place or places, as may be necessary for the prosecution of their business, and to provide for the transportation of oil, coal, and other minerals to market; and for this purpose they are invested with the right to acquire land necessary for the right of way, in the same manner that turnpike road companies are authorized to acquire the right of way by the Revised Statutes.

May erect warehouses, &c.

§ 6. This act shall take effect from its passage.

Approved May 31, 1865.

CHAPTER 1614.

AN ACT to incorporate the Cumberland Gap Mining Association.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. W. Schenck, sr., Jno. G. Newlee, W. Y. Dillard, J. W. Schenck, jr., M. T. Callahan, R. H. Whitmer, Wm. H. Leatherman, A. D. Woodson, and John G. Eve, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Cumberland Gap Mining Association," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company, not inconsistent with the constitution and laws of this State and of the United States.

Corporators' names, and corporate powers.

§ 2. The capital stock of said company shall not exceed two million dollars, which may be divided into shares, subscribed and paid for in such manner as said company may, by its by-laws, prescribe.

Capital stock.

§ 3. That said company shall have power to appoint any one or more of its members, or other persons, to manage, contract, and direct the business of said company according to the by-laws, rules, and regulations which said company may adopt.

Who to conduct business.

§ 4. That said company may acquire and hold such real and personal estate, by contract, as they may deem necessary or proper for the carrying on the mining of coal, iron,

May acquire lands, and how

1865.

lead, or other valuable mineral substances, the procuring and manufacture of salt, oil, and lumber, and the transportation thereof to market, together with such quantities of land as may be necessary for the establishment of mills and landings, machinery, and depots for the same; and if such land cannot be procured, said company may have the same condemned by filing its petition for that purpose with the clerk of the county court in which it is situated, and obtaining thereon the necessary writs of *ad quod damnum*, and procuring the regular condemnation thereof, as required by law in the condemnation of lands for the use of turnpike roads: *Provided, however*, That no property shall be so taken without the value thereof having been first paid.

Record of
shareholders to
be kept.

Stock may be
transferred.

§ 5. The said company, when fully organized, shall cause a book to be opened, and report subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred on said books in the manner to be prescribed by the by-laws of said company; and each member may share the profits and liabilities of said company to the extent of, and in proportion to the amount of, capital stock he owns in said company.

Repealing
clause.

§ 6. The Legislature reserves the right to repeal or alter this charter at will. Nothing herein contained shall be construed into conferring banking powers upon this company.

§ 7. This act to take effect from its passage, and remain in force thirty years, unless sooner repealed by the General Assembly.

Approved May 31, 1865.

CHAPTER 1615.

AN ACT to incorporate the Seward Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That F. Hammar, G. A. Smith, A. H. Lewis, John G. Eve, W. H. Clements, M. D. Rawden, A. G. Gower, and their associates and successors, be, and they are hereby, appointed a body-politic and corporate, under the name and style of the "Seward Petroleum and Mining Company," and by that name shall have perpetual succession, may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter or break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company not inconsistent with the Constitution and laws of this State and of the United States.

§ 2. The capital stock of said company shall not exceed five hundred thousand dollars, which may be divided into shares, subscribed and paid for in such manner as said company may by its by-laws prescribe.

1865.

§ 3. That said company shall have power to appoint any one or more of its members, or other persons, to manage, contract, and direct the business of said company, according to the by-laws, rules, and regulations which said company may adopt.

§ 4. That said company may acquire and hold such real and personal estate by contract as they may deem necessary or proper for carrying on the mining of coal, iron, lead, copper, or other valuable mineral substance, the procuring and manufacture of oil, salt, and lumber, and the transportation thereof to market, together with such quantities of land as may be necessary for the establishment of mills and landings, machinery, and depots for the same; and if such land cannot be procured, said company may have the same condemned, by filing petition for that purpose with the clerk of the county court in which the land is situated, and obtaining thereon the necessary writ of *ad quod damnum*, and procuring the regular condemnation thereof, as required by law in the condemnation of lands for the use of turnpike roads: *Provided, however,* That no property shall be so taken without the value thereof being first paid.

§ 5. The said company, when fully organized, shall cause a book to be opened, and report subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred on said books in the manner to be prescribed by the by-laws of said company; and each member may share the profits and liabilities of said company to the extent and in proportion to the amount of capital stock he owns in said company.

§ 6. The Legislature reserves the right to repeal or alter this charter at will. Nothing contained in this charter shall be construed into conferring banking powers on this company.

§ 7. This act to take effect from its passage and remain in force thirty years, unless sooner repealed by the General Assembly.

Approved May 31, 1865.

1865.

CHAPTER 1616.

AN ACT to incorporate the Adirondack Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That W. Y. Dillard, John G. Eve, R. H. Whitmer, W. H. Leatherman, J. W. Schenck, jr., J. W. Schenck, sr., J. G. Newlee, W. T. Callahan, A. D. Woodson, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Adirondack Mining Company," and by that name shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company, not inconsistent with the constitution and laws of this State or of the United States.

Capital stock.

§ 2. The capital stock of said company shall not exceed one million dollars, which may be divided into shares, subscribed and paid for in such manner as said company may, by its by-laws, prescribe.

Who to con-
duct business.

§ 3. That said company shall have power to appoint one or more of its members, or other persons, to manage, contract, and direct the business of said company according to the by-laws, rules, and regulations which said company may adopt.

May acquire
lands, and how

§ 4. That said company may acquire and hold such real and personal estate, by contract, as they may deem necessary or proper for carrying on the mining of coal, iron, lead, copper, or other valuable mineral substances, the procuring and manufacturing of salt and lumber, and the transportation thereof to market, together with such quantities of land as may be necessary for the establishment of mills and landings, machinery, and depots for the same; and if such cannot be procured, said company may have the same condemned by filing its petition for that purpose with the clerk of the county court in which it is situated, and obtaining thereon the necessary writ of *ad quod damnum*, and procuring the regular condemnation thereof as required by law for the condemnation of lands for the use of turnpike roads: *Provided, however,* That no property shall be so taken without the value thereof having been first paid.

Record of
shareholders to
be kept.

Stock may be
transferred.

§ 5. That said company, when fully organized, shall cause a book to be opened, and report subject to the inspection of any member of said company, and the number of shares owned by each; and the said shares may be transferred on said books in such manner to be prescribed by the by laws of said company; and each member may share the profits and liabilities of said company

to the extent of, and in proportion to the amount of, capital stock he owns in said company.

1865.

§ 6. The Legislature reserves the right to repeal or alter this charter at will. Nothing contained in this charter shall be construed into conferring banking powers on this company.

Repealing clause.

§ 7. This act shall take effect from its passage, and remain in force thirty years, unless sooner repealed by the General Assembly.

Approved May 31, 1865.

CHAPTER 1617.

AN ACT to incorporate the Daniel Webster Petroleum, Mining, and Lumber Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. T. Boyle, Theron H. Hall, Wm. R. Finch, R. A. Watts, J. C. Kieth, Jno. Merrill, W. A. Kleessendorff, J. M. Wright, and J. B. Gill, and their successors, be, and they are hereby, created a body-corporate and politic, by the name of the "Daniel Webster Petroleum, Mining, and Lumber Company," for the term of fifty years, with all the powers and authority incident to corporations; to make and to have a common seal, and the same to alter and renew at pleasure; to sue and be sued; to be capable, by their corporate name, of purchasing, holding, and conveying any estate, real or personal, necessary to enable them to carry on the objects of their incorporation, as hereinafter mentioned.

Corporators' names, and corporate powers.

§ 2. The said company is hereby authorized to bore, dig, or mine for petroleum or rock oil, salt, or other minerals, and manufacture and sell lumber, on any lands in the State of Kentucky owned or held by said company, in fee simple or on lease.

Business of corporation.

§ 3. The capital stock of said company shall be one million dollars, to be divided into shares of not less than ten dollars nor more than one hundred dollars each, to be issued and transferred in such manner, and upon such conditions, as the board of directors of said company may determine; and the amount of the said capital stock may be increased at any time by a vote of a majority of the stockholders of the said company at a meeting called for the purpose: *Provided*, The capital stock shall not at any time be increased to more than five millions of dollars.

Capital stock.

§ 4. The affairs of the said company shall be managed by a board of nine directors, a majority of whom shall constitute a quorum for the transaction of business. The said directors shall elect one of their number to be president of the company; and no person shall be a director in said

Who to conduct business. President.)

1865.	company, unless he be at the same time a stockholder therein. The first board of directors shall consist of J. T. Boyle, Theron H. Hall, Wm. R. Finch, R. A. Watts, J. C. Kieth, John Merrill, W. A. Kleessendorff, J. M. Wright, and J. B. Gill, who shall continue in office until their successors are elected by a majority in interest of the stockholders of the said company; and the board of directors chosen by the stockholders of the said company shall continue in office for one year, or until their successors are elected and qualified. If any of the above named directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing or choosing some one else. They may adopt such by-laws, rules and regulations, for the government of the said company, and the management of its affairs and business, as they may deem proper, not inconsistent with the laws of the State.
First board of directors.	
Term of office.	
Vacancies.]	
May make by-laws.	
May open books.	The said corporators, or any of them, may open books of subscription, and receive subscriptions to the capital stock of the "Daniel Webster Petroleum, Mining, and Lumber Company" herein incorporated; and such books of subscription may be opened, and subscriptions received, at such times and places, and upon such notices thereof, as any three of said corporators may deem right and proper.
May erect warehouses, & may acquire land for that purpose.	<p>§ 5. The said company are further authorized to erect proper warehouses and other buildings and machinery for the storage, refining, and bonding of petroleum, and for the storage of coal and other minerals, at such place or places as may be necessary for the prosecution of their business, and to provide for the transportation of oil, coal, and other minerals by the repairs and construction of roads and railways, and the improvement of the navigation of such streams as may prove necessary for the transportation of such oil, coal, and other minerals and lumber to market; and for this purpose the said company are hereby invested with the right to acquire land necessary for the right of way for such roads and other improvements in the same manner that turnpike road companies are authorized to acquire the right of way by the Revised Statutes of Kentucky.</p> <p>§ 6. The "Daniel Webster Petroleum, Mining, and Lumber Company" are hereby authorized to borrow money to carry on and complete the operations of said company; and to secure the payment of said bonds, may mortgage and pledge the lands, roads, road-beds, rolling stock, and other property of the company, and record the same in the counties where the property of the company is situated; <i>Provided, however,</i> That the said company shall not issue</p>
May borrow money.]	

bonds for an amount to exceed the capital stock of the company. 1865.

§ 7. This act to take effect from its passage.

Approved May 31, 1865.

CHAPTER 1618.

AN ACT to incorporate the Evans Well Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That R. B. Hall, Geo. T. Whitney, J. S. Newberry, D. P. Henderson, J. T. Boyle, W. Terry, J. M. Bryant, and their successors, be, and they are hereby, created a body corporate and politic, by the name of the "Evans Well Petroleum Company," for the term of thirty years, with all the powers and authority incident to corporations, for the purposes hereinafter mentioned. Corporators' names, and corporate powers.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum, and other oils and minerals, and to refine and vend the same. May acquire lands.

§ 3. The capital stock of the Evans Well Petroleum Company shall be five hundred thousand dollars, and shall be divided into shares of not less than five nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct; and the capital stock may be increased by a meeting of the board of directors if deemed necessary. Capital stock.

§ 4. The affairs of said company shall be managed by seven directors, one of whom shall be president, all of whom shall be stockholders in said corporation; the first board of directors shall consist of R. B. Hall, Geo. T. Whitney, James M. Bryant, J. S. Newberry, D. P. Henderson, J. T. Boyle, and W. Terry, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors chosen by the stockholders shall continue in office for one year, or until their successors are elected. If any of the above named directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else. They may adopt such by-laws and rules for the government of the corporation and management of its affairs and business, as they deem proper, not inconsistent with the constitution and laws of the State. The said corporation, or any of them, may open books of subscription and receive subscriptions to the capital stock of said company herein incorporated; and books of subscription may be opened, and subscriptions Who to conduct business.
First directors, and term of office.

Vacancies.

May make by-laws.

May open books.

1865.

received, at such times and places, and upon such notices thereof, as any three of said incorporators may deem right and proper.

Election of
directors.

Vacancies.

Office where
kept.

Officers to be
appointed.

§ 5. Whenever one hundred thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice shall be given of the time and place of election of a new board of directors, who shall hold office for one year, and as provided herein. The board of directors of said corporation may fill all vacancies occasioned by death, resignation, or otherwise; and may make such call of payment of stock as they deem proper, not to exceed twenty per cent. for every thirty days. They may keep their office at such place or places as they deem to the interest of the corporation. They may appoint a secretary, treasurer, superintendent, and other officers as they may deem necessary, with such compensation for services as they may fix; and, by their by-laws, regulate and fix the mode of keeping their records as they may deem necessary.

§ 6. This act shall take effect from its passage.

Approved May 31, 1865.

CHAPTER 1619.

AN ACT to incorporate the Butler County Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That Henry T. Clark, John B. Helm, Thomas M. James, John Chapeze, and Henry D. McHenry, and their associates and successors, be, and they are hereby, created a body corporate and politic, by the name of the "Butler County Petroleum Company," with all the powers and authority incident to corporators and corporations, for the purpose hereinafter mentioned; and with all the general and special powers, privileges, and immunities which have been and may be granted by this General Assembly to any corporation or corporations chartered for similar purposes.

May acquire
lands.

§ 2. The corporation is hereby authorized and empowered to purchase, sell, hold, and dispose of lands, in fee simple and by lease, for mining and boring for petroleum and other oils and minerals, of whatsoever kind, and to manufacture, refine, transport, and vend the same.

Capital stock.

§ 3. The capital stock of the corporation shall be divided into shares of not less than five nor more than five hundred dollars each; which shares may be issued and transferred in such manner and upon such conditions, and under such rules of forfeiture for non-payment of calls and assessments, as the board of directors of such corporation

may direct; and the liability of shareholders shall extend to and be limited by the amount of stock held by them respectively.

1865.

§ 4. The affairs of said corporation shall be managed by three or more directors, one of whom shall be president, and all of whom shall be stockholders in said corporation. The first board of directors shall consist of Henry T. Clark, John B. Helm, Thos. M. James, John Chapeze, and Henry D. McHenry, who shall continue in office for one year, or until their successors are elected by a majority in interest of the stockholders of said corporation, which said corporation may exist in perpetuity; and the directors thus elected, and their successors in perpetual succession, shall continue in office for one year, and until their successors are elected and enter upon their duties. If any of the above named directors shall decline, or refuse to act, a majority of those remaining shall have power to fill such vacancy. They may adopt such by-laws and rules for the government of the corporation and management of its affairs, as they may deem proper, not inconsistent with the constitution of the State and of the United States. The said corporators, or any of them, may open books for, and receive subscriptions to, the capital stock of said company hereby incorporated, at such times and places, upon such notice, and coupled with such conditions, as the board of directors may determine. The board of directors of such corporation may fill vacancies occasioned by death, resignation, or otherwise; they may make such call for the payment of stock as they may deem proper, and in event of non-payment, may forfeit the stock of the defaulting shareholder, or collect the same by suit, as they may elect; right of way is hereby granted to said corporation over any lands, and on and along any water courses within the State, with power and authority to condemn the same to their use in the same manner, and subject to such restrictions, as are and have been given to and imposed upon any corporation heretofore chartered by the General Assembly of Kentucky; and with power and authority to construct and operate over the right of way thus granted common and turnpike roads and railroads, and to build and maintain on and along such water courses locks and dams, and other fixtures and appliances for slack water navigation, to and from and between the site or sites of their mines and oil wells, and the markets for the sale and storage of their products, and to and from and between such mines and oil wells, and the reliably navigable waters within and bordering upon the State; with the right, power, and authority, when such roads, railroads, and improved navigation shall be used by any other party or parties for travel or traffic, to charge

Who to conduct business.

First directors, and term of office.

May make by-laws.

May open books.

Vacancies.

Calls on stock.

Right of way.

May construct roads, &c.

1865.Where may
keep office.Officers to be
appointed.

for such use such reasonable rates of toll or carriage as the board of directors may determine, not exceeding the rates permitted by law to be charged by other corporations specially chartered for, and authorized to furnish and perform similar facilities and services. The board of directors may keep their office or offices at such place or places as the interest of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such other officers as they may deem necessary, and fix their compensation, and by their by-laws regulate the mode of keeping their records, to insure a just exhibit and administration of their affairs

§ 5. Nothing contained in this charter shall be construed as conferring banking privileges upon the corporation.

§ 6. This act to take effect from its passage.

Approved May 31, 1865.

CHAPTER 1622.

AN ACT for the benefit of C. S. Jones, of Adair County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the treasury in favor of C. S. Jones, of Adair county, for the use of said Jones, for the sum of eighty-six dollars and five cents, to be paid out of any money in the treasury not otherwise appropriated, as compensation for this amount expended in conveying Thos. J. Jones, a pauper lunatic, from Adair county to the asylum at Hopkinsville, and back to Adair county.

§ 2. This act to take effect from its passage.

Approved May 31, 1865.

CHAPTER 1623.

AN ACT for the benefit of A. H. Buckner.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time of two years, after the passage of this act, shall be allowed to Aylett H. Buckner, clerk of the Clarke circuit court, to list and collect by distress his uncollected fee bills, subject to all the pains and penalties provided by law for collecting illegal fee bills.

§ 2. This act shall take effect from and after its passage.

Approved May 31, 1865.

CHAPTER 1624.

1865.

AN ACT for the benefit of the Dry Creek and Covington Turnpike Road Company.

WHEREAS, It is represented to the General Assembly that the Dry Creek and Covington turnpike road company has on some occasions held meetings of its stockholders, at which proceedings were had and business was transacted by persons representing less than a majority of the stock, in violation of the 6th sub-division, section 12, chapter 103, of the Revised Statutes; and whereas, it is further represented that because the stock in said company is of so little value, and the stockholders are so scattered, it is almost, if not quite, impossible to transact any business in compliance with the section aforesaid; therefore, in order to continue said organization, and to save the stock from total loss,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the proceedings of any and all meetings of the stockholders of the Dry Creek and Covington turnpike road company, so far as the same are illegal, because held and transacted in violation of the 6th sub-division, 12th section, of the 103d chapter, of the Revised Statutes, are hereby legalized and made valid in law precisely as they would have been, and no further, had a majority of the stockholders been present, or a majority of the stock of said company been represented at such meetings.

§ 2. That for the reasons aforesaid, at any future meeting of the stockholders of said company, to make their proceedings legal and valid, it shall be necessary only that a majority of the stockholders present, or a majority of the stock represented at such meeting, shall vote and take part in the proceedings; and that the 6th sub-division, section 12, chapter 103, of the Revised Statutes, shall not hereafter in any respect govern the meetings of the stockholders of the Dry Creek and Covington turnpike road company.

§ 3. This act shall take effect from and after its passage.

Approved May 31, 1865.

CHAPTER 1626.

AN ACT to incorporate the Warsaw Male and Female College.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Warsaw Academy, established by J. W. Ellis, in Warsaw, Kentucky, shall hereafter be known under the name and style of the "Warsaw Male and Female College."

1865.

**Corporators,
names, and cor-
porate powers.**

§ 2. That John A. Gex, Mirax Williams, T. J. Turley, H. P. Clore, H. J. Abbott, John J. Landram, Robert Payne, and their successors, shall be a body-politic and corporate, under the name and style of "Trustees of Warsaw Male and Female College," and by that name they shall have perpetual succession; with power to adopt and use a common seal, and change the same at pleasure; to make contracts for the benefit of said college, to sue and be sued, to plead and be impleaded, in any of the courts of this Commonwealth; to acquire by gift, grant, devise, purchase, or otherwise, any real or personal property for the use of said college, to sell and dispose of the same at pleasure, according to the by-laws which may be made by said trustees, and reinvest the proceeds arising therefrom in such real and personal estate for the use of said college as they may deem proper.

Capital stock.

§ 3. The capital stock of said college shall be divided into shares of fifty dollars each, to be subscribed and paid for as its by-laws may determine; it is also hereby declared that the stock subscribed for the benefit of the college shall have the benefits conferred by this charter.

**May open
books.**

§ 4. The trustees may open books for the subscription of stock at such time and place as they may deem proper, and the stock which may be subscribed, with that already subscribed, shall be entered in a book kept by the secretary for that purpose; and no stock shall be transferable from one person to another except such transfer be entered in such book.

Term of office.

§ 5. The trustees hereby incorporated shall continue in office until they resign or are deposed, according to the by-laws established under this charter.

**President and
other officers to
be appointed.**

§ 6. The trustees shall have power to choose from their own body a president, secretary, and treasurer; and shall have power to fill vacancies in their own body or the said officers, always observing that not more than two members of their body must belong to any particular one religious denomination.

**May confer di-
plomas, &c.**

§ 7. The trustees, with the consent of the president, or principal of the college, shall have power to confer upon the pupils of said college any or all the diplomas and degrees conferred by any other college in this State: *Provided*, That no degree be conferred upon any of the students but those who shall have completed the prescribed course of studies, passed a satisfactory examination, and who shall have maintained a good moral character.

**How to be
signed.**

§ 8. The diplomas and degrees conferred upon the students of the college, as provided in the foregoing section, shall be signed by the president or principal of the college, together with the assistant teachers and the trustees.

§ 9. The trustees shall have power—a majority of whom, which shall constitute a quorum for the transaction of all business, concurring—to elect the president or principal, professors, and tutors of said college, and upon the death, disqualification, or resignation of such, shall have power to fill the vacancy by appointment.

1865.
President,
teachers, &c.,
to be elected by
trustees.

§ 10. The president or principal, together with the consent of his assistants, shall have power to expel any student from said college for persistent remiss of duty or disobedience.

May expel
students.

§ 11. The trustees shall have power to make such by-laws, rules, and ordinances not inconsistent with this charter, the laws of the State, or the United States, as they shall deem proper for the supervision and government of the said college; but in no case shall they have power to make any by-law, rule, or ordinance, which would give a sectarian caste to the college.

May make by-
laws.

§ 12. The trustees of said college shall meet in the town of Warsaw, Kentucky, and organize by electing from their own body a president, secretary, and treasurer for transacting the business of the college when the subscribed stock shall amount to five thousand dollars.

When to or-
ganize.

§ 13. The property belonging to the said college shall not be liable to taxation under the laws of the Commonwealth.

Property not
liable to tax-
ation.

§ 14. This act shall take effect from and after its passage.

Approved May 31, 1865.

CHAPTER 1627.

AN ACT to amend an act, entitled "An act to incorporate the Bridgeport Female Institute," approved February 11, 1858.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the 1st section of an act, entitled "An act to incorporate the 'Bridgeport Female Institute,'" be so amended as to read as follows: That J. Russell Hawkins, John W. Jackson, A. Julian, A. R. Macey, Wm. Hodges, and R. Brown, shall be, and they are hereby, constituted trustees and a body-politic and corporate, by the name and style of the "Frankfort Male and Female Collegiate Institute."

§ 2. Amend the title to read, "An act to incorporate the Franklin Male and Female Collegiate Institute."

Approved May 31, 1865.

1865.

CHAPTER 1628.

AN ACT for the benefit of Keturah M. Hodge, of Campbell County.

WHEREAS, It has been represented to this General Assembly that Keturah M. Hodge, of Campbell county, is seized and possessed in her own right of a large estate in this Commonwealth, and that her husband has, by the laws of this Commonwealth, become expatriated, and is now absent therefrom, and that great inconvenience results to the said Keturah in the management of her property; by reason thereof,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Keturah M. Hodge, of Campbell county, be, and she is hereby, so long as her husband, Geo. B. Hodge, shall remain expatriated from this Commonwealth, empowered to act as a *feme sole* in all matters affecting in anywise her estate, real and personal, either in possession, remainder, or reversion, now acquired or which she shall hereafter acquire, whether by gift, grant, devise, or descent, and to bind herself personally and her estate in all matters of business relating thereto, and to accept and execute any trust or power which may be conferred upon her by any person or court in any real or personal estate in which she, with others, may be interested in her own right.

§ 2. This act shall take effect from its passage.

Approved May 31, 1865.

CHAPTER 1629.

AN ACT to amend an act, entitled "An act to regulate the management of the Madison Fork of the Wilderness Turnpike Road," approved February 10th, 1864.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That so much of an act, entitled "An act to regulate the management of the Madison Fork of the Wilderness turnpike road," as conferred powers upon the county judge of Laurel county, be, and the same is hereby, repealed, and the powers heretofore vested in him shall be vested in a board of commissioners composed of three persons, within the bounds of said road, who, before entering upon the duties of the office, shall take an oath to perform the duties now imposed upon the county judge of Laurel county, faithfully, impartially, and, in their judgment, to the best interest of the road. They shall be allowed a reasonable compensation for their services by the county judge of their respective counties, to be paid out of the proceeds of the gate.

§ 2. That Wm. L. Mullins, Jas. McNeale, and Morgan Forbes, be appointed to act as commissioners until the court of claims of Rockcastle, Laurel, and Jackson counties, when each county, at their respective court of claims, a majority of the justices being present, shall appoint a commissioner respectively for their counties; and whenever a commissioner vacates or refuses to qualify, the county judge of the county in which the vacancy occurs shall appoint until the court of claims.

§ 3. This act to be in force from its passage.

Approved May 31, 1865.

1865.

CHAPTER 1632.

AN ACT to incorporate the Augusta Deposit Bank, of Augusta, Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established a bank of deposit in Augusta, Kentucky, with a capital of one hundred thousand dollars, in shares of one hundred dollars each, to be subscribed and paid for as hereinafter provided; and the subscribers, their associates and assigns, shall be a body-politic and corporate, by the name and style of the "Augusta Deposit Bank," and shall so continue for twenty years from its organization, and shall be capable of contracting and being contracted with, of suing and being sued, of impleading and being impleaded, of answering and defending, in all courts and places whatsoever; it may have a common seal, and change and renew the same at pleasure.

Capital stock,
and corporate
powers.

§ 2. Said bank shall be under the control and direction of six directors, each of whom shall be stockholders; they shall be residents of this State, and, after the first election, shall be elected annually, on the first Monday in January in each year, and hold office until their successors are elected and qualified; they shall elect one of their number president, and shall hold regular meetings at such times as may be fixed by the by-laws, and other meetings may be held whenever deemed necessary; and in case of the death or resignation of any director, the vacancy shall be filled by the board of directors. The directors shall have power to receive subscriptions for so many of the shares of the stock of said company remaining unsold as they may, at any time, choose to sell; to declare dividends of the profits arising out of the business, and to appoint such officers, agents, and servants as they may deem necessary to conduct the business of the bank, and pay them such sums as wages and salaries, and take from them such bond to secure the faithful performance of their duties, as they

Who to con-
duct business.

President to be
chosen.
Meetings to be
held.

Vacancies.

May receive
subscriptions,
declare divi-
dends, &c.

Officers to be
appointed.

1865.

Stock personal
estate.

shall think proper and reasonable; the stock shall be deemed personal property, and shall be assignable according to such rules as the board of directors shall, from time to time, establish; but said corporation shall have a lien on the stock to secure any indebtedness by the stockholder.

Commissioners
to open books.When directors
to be elected.Payment on
stock.Stock may be
forfeited.

§ 3. Thornton F. Marshall, Wm. S. McKibben, James B. Ryan, Wm. C. Marshall, Jos Doniphan, Sylvanus W. McKibben, S. T. Powers, and Francis L. Cleveland, are hereby appointed commissioners, any two of whom may open books and receive subscriptions for the capital stock; and when two hundred shares have been subscribed, it shall be their duty to give notice, by printed advertisement or otherwise, and appoint a day for the election of a board of directors, who shall hold their offices until the ensuing annual election. The payment for the shares subscribed shall be made as follows: five dollars on each share at the time of subscribing, and twenty dollars on each share within ten days after the election of the first board of directors, and the residue in installments of twenty-five dollars on each share every thirty days: *Provided*, That after ten thousand dollars shall have been paid, the board of directors shall have power to prolong the time for the payment of the residue; and should any of the subscribers fail to pay for their subscriptions of stock, as herein provided, after giving notice to them of their intention for thirty days, the directors may, by resolution entered on their records, forfeit such stock, and resell the same at such time as they may deem expedient; and all partial payments, made on any stock which shall be then forfeited, shall be held for the benefit of the corporation; said corporation may commence business so soon as ten thousand dollars shall have been paid in, and the president and directors first elected shall have made oath to the fact of such payment before some judge or justice.

Deposits.

May loan
money, &c.Promissory
notes.

§ 4. Said bank may receive deposits of gold, silver, bank notes, and other notes, which may be lawfully circulating as money, and repay the same in such manner, at such times, and with such interest, not exceeding the rate of six per cent. per annum, as may be agreed upon with the depositors by special or general contract; may deal in the loaning of money, exchange, promissory notes, and other evidences of debt, take personal and other securities for the payment thereof, and dispose of the latter as may be agreed upon, in all respects as natural persons may do under the common law; and the promissory notes made negotiable and payable at its banking-house, or at any bank, and inland bills, which may be discounted by it, shall be, and they are hereby, put upon the footing of foreign bills of exchange, and like remedy may be had thereon, jointly and severally, against the drawers and indorsers.

§ 5. The said corporation may acquire, hold, possess, use, occupy, and enjoy all such real estate, goods and chattels, as may be convenient for the transaction of its business, or which may be conveyed to it as surety for any debt, or purchased in satisfaction of any debt, judgment, or decree, and sell and convey the same; and they may make such by-laws for their government as they may deem necessary: *Provided*, The same be not contrary to the constitution and laws of this State or of the United States.

1865.

May acquire real estate.

§ 6. It shall be the duty of the president, on the first day of July in each year, to pay into the treasury fifty cents on each one hundred dollars of stock held and paid for in said institution, which shall be in full of all tax or bonus, and be a part of the sinking fund of this Commonwealth.

State tax.

§ 7. If the cashier, clerks, teller, or other officers, shall appropriate any of the funds of said corporation to his own use, or shall willfully fail to make correct entries, or knowingly make false ones, on the books of the bank, with intent to cheat or defraud the corporation or any other person, or conceal any improper appropriation of funds, the officer so offending shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of this Commonwealth for a period of not less than two nor more than twenty years.

Penalty on officers for appropriating money to own use.

§ 8. It shall not be lawful for said bank to issue any note or bill to be passed and used as currency.

Not to issue currency.

§ 9. The General Assembly shall have the right to examine the affairs of said corporation by any committee they may appoint for the purpose.

General Assembly may examine bank.

§ 10. This act shall take effect from its passage and continue in force twenty years; but the General Assembly reserves the right to repeal or modify at pleasure this act; not, however, to interfere with the vested rights of any persons.

Approved May 31, 1865.

CHAPTER 1633.

AN ACT to incorporate the Falls City Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That O. W. Thomas, Wm. Hughes, E. H. Huffman, Louis Rhem, Wm. R. Kinney, Jas. W. Brannin, Geo. W. Tarleton, and E. H. Stoll, are created a body corporate, able by their common consent to receive and grant in law anything within the compass of their chartered franchises and privileges, and to be denominated the "Falls City Petroleum and Mining Company," with the privilege

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and purpose of boring petroleum and salt wells, and exploring for minerals, on any lands which they have in Henry and Owen counties, or any other counties in which they may acquire lands, either by purchase or lease, and reducing the oil to burning fluid, paraffine, asphaltum, and to all its uses; trading in oil in its crude state or refined state, and to mine and sell coal or other minerals, and making and trading in salt, and shipping it to foreign and domestic ports; lay conduct pipes and construct railroads from their wells to a navigable river or a railroad now constructed or to be constructed, and to make connections and turn-outs for their purposes, &c. They and their associates and successors shall continue and have succession for an indefinite period, and by that name and style are hereby made as capable in law as individual citizens to contract and be contracted with, and sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to make, have, and use a common seal; and shall have power to purchase and hold real estate, or lease the same for the purposes aforesaid, and to sell or lease any part they may desire, by deed or other conveyance; also, after the company is organized, shall have the power to ordain and establish such by-laws, ordinances, and regulations as shall be necessary for the well-being and government of said corporation, and not contrary to the laws of this State or of the United States.

§ 2. That the capital stock of this company be five hundred thousand dollars, (\$500,000), divided into shares of ten dollars (\$10) each, which may be increased or diminished as the president and directors may determine.

§ 3. That the president and directors shall regulate the proportion of stock which may be issued to each member on application.

§ 4. That the corporation, or a majority of them, shall hold a meeting as soon after the passage of this act as convenient, for the purpose of organizing by the election of a president, vice president, secretary, treasurer, and three others, making seven, which shall constitute a board of directors, a majority of whom shall constitute a quorum for the transaction of business, and to hold their offices for one year or until others are elected; and at the expiration of each year, an election for said officers to be held in the city of Louisville, where the office for the transaction of their business shall be located, and notice to be given in one or more newspapers published in the city of Louisville, of the time and place of holding said election, for one week, and each stockholder shall have a vote for every share he or she may own; and any stockholder not present at any such meeting or election, may vote by proxy, such proxy being a stockholder attending such

meeting or election, and presenting his authority from his principal, duly authenticated by two witnesses subscribing to his or her name under seal.

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§ 5. That at every annual meeting, it shall be the duty of the secretary to report in writing the financial condition of the corporation, its acts and doings, and at all times to have his books ready for inspection by the board of directors, and also at meeting to declare the dividends, &c., directing the treasurer to settle and pay the same in conformity with the report, and further, that dividends may be declared, and paid to stockholders half yearly, quarterly, or whenever the directors shall order. That the treasurer is, at all times, authorized to deposit money belonging to the corporation in any good and solvent bank in the city of Louisville, at the risk of the corporation and stockholders.

§ 6. That nothing in this act shall be so construed as to confer banking privileges or powers to this company. The General Assembly reserves the right to alter, amend, or repeal this charter at any time.

§ 7. This act shall take effect from and after its passage.

Approved June 2, 1865.

CHAPTER 1634.

AN ACT to incorporate the Ottawa Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Robert Arkenburg, John R. White, Alexander Baird, Edward R. Murrell, and Henry D. McHenry, and their associates and successors, be, and they are hereby, created a body corporate and politic, by the name of the Ottawa Petroleum Company," with all the powers and authority incident to corporators and corporations, for the purpose hereinafter mentioned; and with all the general and special powers, privileges, and immunities which have been and may be granted by the General Assembly to any corporation or corporations chartered for similar purposes.

Corporators' names, and corporate powers.

§ 2. The corporation is hereby authorized and empowered to purchase, sell, hold, and dispose of lands, in fee simple and by lease, for mining and boring for petroleum and other oils and minerals, of whatsoever kind, and to manufacture, refine, transport, and vend the same.

May acquire lands.

§ 3. The capital stock of the corporation shall be divided into shares of not less than five nor more than five hundred dollars each; which shares may be issued and

Capital stock

1865.

transferred in such manner and upon such conditions, and under such rules of forfeiture for the non-payment of calls of assessments, as the board of directors of such corporation may direct; and the liability of shareholders shall extend to and be limited by the amount of stock held by them respectively.

Who to conduct business.

First directors, and term of office.

Vacancies.

May make by-laws.

May open books.

Right of way, & further powers of corporation.

§ 4. The affairs of said corporation shall be managed by three or more directors, one of whom shall be president, and all of whom shall be stockholders in said corporation. The first board of directors shall consist of Rob't Arkenburg, Jno. R. White, Alex. Baird, Edw'd R. Murrell, and Henry D. McHenry, who shall continue in office for one year, and until their successors are elected by a majority in interest of the stockholders of said corporation, which said corporation may exist in perpetuity; and the directors thus elected, and their successors in perpetual succession, shall continue in office for one year, and until their successors are elected and enter upon their duties. If any of the above named directors shall decline, or refuse to act, a majority of those remaining shall have power to fill such vacancy. They may adopt such by-laws and rules for the government of the corporation and management of its affairs as they may deem proper, not inconsistent with the constitution of the State and of the United States. The said corporators, or any of them, may open books for, and receive subscriptions to, the capital stock of said company hereby incorporated, at such times and places, upon such notice, and coupled with such conditions, as the board of directors may determine. The board of directors of such corporation may fill vacancies occasioned by death, resignation, or otherwise; they may make such call for the payment of stock as they may deem proper, and in event of non-payment, may forfeit the stock of the defaulting shareholder, or collect the same by suit, as they may elect; right of way is hereby granted to said corporation over any lands, and on and along any water courses within the State, with power and authority to condemn the same to their use in the same manner, and subject to such restrictions, as are and have been given to and imposed upon any corporation heretofore chartered by the General Assembly of Kentucky; and with power and authority to construct and operate over the right of way thus granted common and turnpike roads and railroads, and to build and maintain on and along such water courses locks and dams, and other fixtures and appliances for slack water navigation, to and from and between the site or sites of their mines and oil wells, and the markets for the sale and storage of their products, and to and from and between such mines and oil wells, and the reliably navigable waters within and bordering upon

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the State; with the right, power, and authority, when such roads, railroads, and improved navigation shall be used by any other party or parties for travel or traffic, to charge for such use such reasonable rates of toll or carriage as the board of directors may determine, not exceeding the rates permitted by law to be charged by other corporations specially chartered for, and authorized to furnish and perform similar facilities and services. The board of directors may keep their office or offices at such place or places as the interest of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such other officers as they may deem necessary, and fix their compensation, and by their by-laws regulate the mode of keeping their records, to insure a just exhibit and administration of their affairs

Office where kept.

Officers to be appointed.

§ 5. Nothing contained in this charter shall be construed as conferring banking privileges upon the corporation.

§ 6. This act to take effect from its passage.

Approved June 2, 1865.

CHAPTER 1635.

AN ACT to incorporate the Paris Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Henry C. Hastings, Jos. Scott, John A. Prall, and their assigns and successors, be, and they are, incorporated and created a body-politic and corporate, under the name and style of the Paris Oil and Mining Company, and by that name shall have perpetual succession; may sue and be sued; may contract and be contracted with; may have a common seal, and alter the same at pleasure; may acquire and hold such real estate, in any portion of Kentucky, as they may deem suitable for the purposes of their organization or any interest therein, by deed or lease, and may sell and convey the same at pleasure; and may purchase and hold such machinery and other personal estate as may, in their judgment, be suitable and proper for their business; and may do such other things as any company incorporated by this General Assembly for similar purposes is authorized to do.

Corporators' names, and corporate powers.

§ 2. The business of said company shall be by boring, mining, or otherwise, to extract or obtain oil, coal, salt, lead, iron, or any mineral or substance within the earth or upon its surface; by refining, manufacturing, or otherwise, to prepare the same, or any product or material obtained by them, for use, consumption, or market; and to transport and vend the same in their crude or refined and manufactured state, and to do such other things as may be incidental to the business above set forth.

Business of corporation.

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Capital stock.

§ 3. The capital stock of said company shall be a sum not exceeding one million of dollars, which may be fixed in the by-laws, together with the number of shares into which the same shall be divided, and the manner and terms upon which the same shall be sold and paid for; and the amount of said stock may be increased from time to time: *Provided*, It shall not exceed the limit above prescribed.

May make by-laws.

§ 4. Said corporators, or any two of them, may adopt a code of by-laws regulating the management of its affairs, provided the same shall not conflict with the constitution or laws of Kentucky or of the United States; and by said by-laws shall provide the amount of stock, and the shares into which the same shall be divided, the duties, terms, and official designations of the officers of the company, the time and manner of their election, and all such other matters as may be necessary and suitable in the prosecution of the business of the company, or which may, at any time, be amended by the company; and before the company shall be organized by the election of its officers as above provided for, its affairs shall be under the control and management of the aforesaid corporators, or any two of them.

§ 5. The company hereby incorporated shall have no banking privilege whatever.

§ 6. This act shall take effect from and after its passage.

Approved June 2, 1865.

CHAPTER 1636.

AN ACT to incorporate the Russell Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Wm. Garvin, Robert Russell, and Robert A. Bell, and their successors, be, and are hereby, created a body corporate and politic, by the name of the "Russell Oil and Mining Company," for the term of thirty years, with all the powers and authority incident to corporations, for the purpose hereinafter mentioned.

§ 2. The corporators are hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other minerals, and to refine and vend the same.

§ 3. The capital stock of the Russell Oil and Mining Company shall be two hundred thousand dollars, and shall be divided into shares of not less than five nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of said corporation may direct.

1865.

§ 4. The affairs of said corporation shall be managed by five directors, one of whom shall be president, and all of whom shall be stockholders in said corporation. The first board of directors shall consist of Wm. Garvin, Rob't Russell, and Robert A. Bell, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors chosen by the stockholders shall continue in office for one year or until their successors are elected. If any of the above mentioned directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else; they may adopt such by-laws and rules for the government of the corporation and management of its affairs and business as they deem proper, not inconsistent with the constitution and laws of the State of Kentucky. The said incorporators, or any of them, may open books of subscription, and receive subscriptions to the capital stock of said company hereby incorporated; and books of subscription may be opened, and subscriptions received, at such times and places, and upon such notices thereof, as any three of said incorporators may deem right and proper.

§ 5. The said Russell Oil and Mining Company shall not own, in fee simple and lease, lands exceeding one million of dollars in value, the capital stock of the company. Whenever one hundred thousand dollars of capital is subscribed, and ten per cent. thereof paid in, notice shall be given of the time and place of election of a new board of directors, who shall hold office for one year, as provided herein. The board of directors of said corporation may fill all vacancies occasioned by death, or resignation, or otherwise, and may make such call of payment of stock as they may deem proper, not to exceed twenty per cent. for every thirty days; they may keep their office at such places as they deem to the interest of the corporation; they may appoint a secretary, treasurer, superintendent, and such other officers as they may deem necessary, with such compensation for services as they may fix; and by their by-laws may regulate and fix the mode of keeping their records, in such manner as they may deem necessary.

Approved June 2, 1865.

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CHAPTER 1637.

AN ACT to incorporate the Big Twinn Creek Mining and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

Corporators' names, and corporate powers.

§ 1. That E. C. Bright, H. S. Shivell, Wm. Vories, Jas. M. Bryant, and their associates, successors, and assigns, be, and the same are hereby, created a body corporate and politic, with perpetual succession, by the name and style of the "Big Twinn Creek Mining and Manufacturing Company," with all the powers and authority incident to such corporations, or hitherto granted any corporation within this Commonwealth, for the uses and purposes hereinafter mentioned.

Business of corporation.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining, excavating, and boring for oils, salt, coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same; and to cut, raft, or float the timber from said lands, or build any and all kinds of floats, boats, mills, or other buildings, fixtures, and machinery which said corporation may deem proper to further the operations of said corporation, or dispose of any portion or portions of its territory and other property deemed advisable, and convey the same by deed or otherwise.

Capital stock.

§ 3. The capital stock of this company shall not exceed five hundred thousand dollars, and shall be divided into shares of not less than fifty dollars each, and not exceeding five hundred dollars, and may be issued and transferred in such way and manner, and upon such conditions, as the board of trustees of said corporation may direct; and the number of said shares may be increased as the said board of trustees may deem advisable.

Stock personal estate.

§ 4. The shares of stock in said company shall be deemed personal estate, and transferable on the books of the company as prescribed by the by-laws of the corporation.

May open books.

§ 5. The said corporators, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated, and give such notice of the times and places of receiving subscriptions to the capital stock thereof as they may deem proper.

Who to conduct business.

§ 6. The affairs of the corporation shall be managed by seven trustees, of whom the president of the company shall be one, and all of whom shall be stockholders in said corporation; their term of service shall be for one year or until their successors are elected; within a period not exceeding six months after the time when fifty thousand dollars of the said stock is subscribed and ten per cent. there-

When directors to be elected.

of paid in, notice shall be given of the time and place of holding an election for a board of trustees and president, who shall be elected by a majority of interest of the stockholders represented; if any of those elected trustees or the president shall refuse or decline to act, or resign after acceptance, a majority of those accepting may fill the vacancy until the next election by the stockholders; the trustees, from time to time, may adopt, alter, repeal, and amend such by-laws and rules for the general management of the property, business, and affairs of the company as they may deem proper, not inconsistent with the laws and constitution of this State; they may keep their offices at such place or places as they may deem best for the interests of the corporation; they may appoint and remove a secretary, treasurer, superintendent, and such other officers as they may deem necessary, with such compensation for services as they may fix; they may make such call of payment of subscriptions for stock as they may deem proper, not to exceed twenty per cent. for every thirty days, and in default of payment, the by-laws of said company may authorize a forfeiture of stock; they may use a common seal, and alter the same at pleasure, and they may require a bond with security from such officers as may be elected or appointed until the election hereinbefore provided for; the powers and functions vested in said board of trustees are vested in said corporators.

1865.

Vacancies.

May make by-laws.

Where may keep office.

Officers to be appointed.

§ 7. This act to take effect from and after its passage.

Approved June 2, 1865.

CHAPTER 1638.

AN ACT to charter the International Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That C. W. Hoch, Julius Winter, Geo. P. Doern, M. Billing, C. C. Reufer, J. L. Deppen, and C. P. Wulkop, or a majority of them, their associates, successors, and assigns, be, and they are hereby, constituted and created a body politic and corporate, by the name and style of the "International Petroleum and Mining Company," and by that name and style to have perpetual succession, for the purpose of boring for oil, manufacturing and refining oil, mining coal and other ores, manufacturing iron, lumber, and cooperage, and ore; transacting all the usual and necessary business of companies in mining, manufacturing, and transporting to market, and selling of oil, coal, ores, and other products; and the said corporation, by the said name, may sue and be sued, plead and be impleaded; have and use a common seal, and alter the same at pleasure;

Corporators' names, and corporate powers.

1865. may make rules and by-laws for the regulation and management of said corporation, not inconsistent with the laws of this State or the United States.

Capital stock. § 2. The capital stock of said company shall be three hundred thousand dollars (\$300,000), to be divided into sixty thousand (60,000) shares of five (5) dollars each, which said shares shall be represented by proper certificates, signed by the president and secretary, and under the seal of the company, and shall be deemed personal property, transferable by assignment or otherwise, as may be provided for in the by-laws of said company.

May acquire lands. § 3. That said company shall have the right to acquire and hold, by purchase or lease, any and all such lands, tenements, oil rights, coal rights, ore rights, mining rights, and appurtenances, rights of way, buildings, real, personal, or mixed property, as they may deem necessary for the well-being and advantage of said company; and the same, or any part thereof, to use and occupy, sell, lease, or otherwise dispose of, as the directors or company may, from time to time, see proper; and to enter into and make all such arrangements, contracts, deeds, and obligations as may be requisite and proper in the prosecution of the business of said company.

Who to conduct business. § 4. That the business, property, and affairs of said company shall be managed and controlled by a board of five (5) directors, to be chosen by the stockholders, at such times and under such regulations as shall be prescribed by the by-laws, each stockholder being entitled to give, at every such election, either in person or proxy, as many votes as he holds shares of stock: *Provided*, That the first election under this charter, for the purpose of organization, the corporators named in the first section of this act, and their associates, joint owners of the rights and property of the company, shall each have one vote; said directors may elect from their own number a president and vice-president, and prescribe their duties, and fix their compensations; they may also appoint all other officers and agents, and remove the same at their discretion.

Officers to be appointed.

§ 5. The president, vice-president, and directors shall hold their offices for one year, or until their successors shall be duly elected and qualified.

§ 6. This act shall take effect from and after its passage.

Approved June 2, 1865.

CHAPTER 1639.

1865.

AN ACT to charter the Great Western Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That C. W. Hoch, Julius Winter, George P. Doern, M. Billing, C. C. Reufer, J. L. Deppen, and C. T. Wulkop, Corporators' names, and corporate powers. or a majority of them, their associates, successors, and assigns, be, and they are hereby, constituted and created a body-politic and corporate, by the name and style of the "Great Western Petroleum and Mining Company," and by that name and style to have the perpetual succession, for the purpose of boring for oil, manufacturing and refining oil, mining coal and other ores, manufacturing iron, lumber, and cooperage and ore; transacting all the usual and necessary business of companies in mining, manufacturing, and transporting to market, and selling of oil, coal, ores, and other products; and the corporation, by said name, may sue and be sued, plead and be impleaded; have and use a common seal, and alter the same at pleasure; make rules and by-laws for the regulation and management of said corporation, not inconsistent with the laws of this State or the United States.

§ 2. The capital stock of said company shall be three hundred thousand (\$300,000) dollars, to be divided into sixty thousand (60,000) shares of five dollars each, which said shares shall be represented by proper certificates, signed by the president and secretary, and under the seal of the company, and shall be deemed personal property, transferable by assignment or otherwise, as may be provided for in the by-laws of said company. Capital stock.

§ 3. That said company shall have the right to acquire and hold, by purchase or lease, any and all such lands, tenements, oil rights, coal rights, ore rights, mining rights, and appurtenances, rights of way, buildings, real, personal, or mixed property, as they may deem necessary for the well-being and advantage of said company, and the same, or any part thereof, to use and occupy, sell, lease, or otherwise dispose of, as the directors or company may, from time to time, see proper; and to enter into and make all such arrangements, contracts, deeds, and obligations, as may be requisite and proper in the prosecution of the business of said company. May acquire lands.

§ 4. That the business, properties, and affairs of said company shall be managed and controlled by a board of five (5) directors, to be chosen by the stockholders, at such times and under such regulations as shall be prescribed by the by-laws, each stockholder being entitled to give, at every such election, either in person or proxy, as many votes as he holds shares of stock: *Provided*, That the first election under this charter for the purpose of organization, Who to conduct business.

1865.

Officers to be
appointed.

the corporators named in the first section of this act, and their associates, joint owners of the right and property of the company, shall each one vote; said directors may elect from their own number a president and vice-president, and prescribe their duties and fix their compensation; they may also appoint all other officers and agents, and remove the same at their discretion.

§ 5. The president, vice-president, and directors shall hold their offices for one year, or until their successors shall be duly elected and qualified.

§ 6. This act shall take effect from and after its passage.

Approved June 2, 1865.

CHAPTER 1640.

AN ACT to amend "An act for the benefit of Common School District No. 35, in Daviess County," approved December 18, 1863.

WHEREAS, It is represented that doubt exists with the school commissioner as to his duty under the act to which this is an amendment, as the school was taught sixty-four instead of sixty-six days,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That said common school district No. 35, in Daviess county, shall receive the fund to which it was entitled at the time the act was passed to which this is an amendment, notwithstanding the school was not taught by two days the length of time as ordinarily required, and the commissioner is required to pay the money.

§ 2. This act shall take effect from its passage.

Approved June 2, 1865.

CHAPTER 1641.

AN ACT to revise the charter of the Sons of Temperance of the State of Kentucky.

WHEREAS, Under and by virtue of an act, entitled "An act to incorporate the Grand Division of the Sons of Temperance of the State of Kentucky," approved February 26, 1848, a grand division and subordinate divisions were organized in the State, and for a number of years continued to hold and exercise the privileges of said charter; and whereas, it is represented to this Legislature that said grand and subordinate division are not now in regular and successful operation, and being willing to restore them, or others organized according to the forms and ritual of said Sons of Temperance, to all the rights and privileges of said charter; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

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§ 1. That the Temperance Society now in operation in Columbia, Adair county, Kentucky, have the power, through their presiding officer or his successor in office, within one year from this day, [have full power] to call a meeting of the friends of temperance in this State, to be held at the city of Louisville, Kentucky, and that said meeting have full power to determine whether or not the grand division and subordinate divisions have forfeited their charters; and if they determine by a majority of such meeting that the grand division is still in existence, they shall have the power to order a meeting of the members of said grand division for the purpose of reorganizing under the said charter; if, however, a majority of the members of the meeting to be held in Louisville, Kentucky, should determine that the charter of the grand division is forfeited, then said convention shall have the power to organize a grand division of the Sons of Temperance of the State of Kentucky.

§ 2. That the grand division, reorganized as aforesaid, be restored to all the rights and privileges of said charter.

§ 3. That notice of the meeting to be held at Louisville, as aforesaid, be advertised in at least two weekly newspapers published at Louisville, for three months before said meeting is to take place; the presiding officer of the temperance society at Columbia, Kentucky, to sign the call for said meeting.

§ 4. This act to take effect from and after its passage.

Approved June 2, 1865.

CHAPTER 1642.

AN ACT to amend the charter of the Lexington and Big Sandy Railroad.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the 17th and 18th sections of the original charter of the Lexington and Big Sandy railroad, and the amendments thereto to said charter, be so amended that any railroad company which has been, or may be hereafter chartered by this State, may join and connect with either division of said Lexington and Big Sandy railroad, or cross the same at any point on the line thereof, at a less angle than twenty degrees; and any railroad thus connecting with the eastern or western divisions of the Lexington and Big Sandy railroad shall have the right to run their freight trains on and over said divisions of said road with their own engines, without delay and without unloading, or to have their freight

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trains drawn on and over said eastern and western divisions by the engines belonging to said divisions, without delay and without unloading, at any hour of the day or night, when the track of said divisions shall not necessarily be occupied by the actual running of the regular passenger and freight trains of said eastern or western divisions; the time-table for the running of which regular passenger and freight trains, with every change made therein, shall be furnished by the superintendents of said divisions of the said Lexington and Big Sandy railroad to the superintendents of any of the said connecting railroads, provided that the companies of the said eastern and western divisions of the Lexington and Big Sandy railroad may, and they are hereby, authorized to charge and receive for every ton of coal or iron ore, or other mineral freight, in its crude or raw state, brought directly by any such connecting road from the mines, and to be transported over the said Lexington and Big Sandy railroad, on either division thereof, or over any part of either, to any market or place of consumption, or for the purpose of reshipment to market for consumption or manufacture, thus transported over their road and drawn by the cars of said connecting road, a sum not exceeding per mile one cent per ton, and for every ton of such freight thus transported over their road in the cars of said connecting road, and drawn by the engines furnished and operated by the divisions, or either of the divisions of the Lexington and Big Sandy railroad, a sum not exceeding the rate of one and one half cent per ton per mile for such freight.

§ 2. This act shall be in force from its passage.

Approved June 2, 1865.

CHAPTER 1643.

AN ACT for the benefit of Wm. Corum, Clerk of Greenup Circuit and County Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time of two years, from and after the passage of this act, be allowed Wm. Corum, clerk of the Greenup county and circuit courts, to collect his uncollected fee bills, during which time they may be distrained for in the manner prescribed by law. The said Corum shall be liable as now provided by law for issuing or collecting illegal fee bills.

§ 2. This act shall take effect from its passage.

Approved June 2, 1865.

CHAPTER 1644.

1865.

AN ACT for the benefit of Jas. A. Ward, late Sheriff of Johnson County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Jas. A. Ward, sheriff of Johnson county, upon the payment of the principal and cost of a judgment in the Franklin circuit court against said Ward and sureties, for the revenue of 1861, be released by the Auditor from the payment of damages therein.

§ 2. That said Ward have until the 1st of October, 1865, to return his delinquent list for said year, and the Auditor is directed to allow him credit for same.

§ 3. This act to take effect from its passage.

Approved June 2, 1865.

CHAPTER 1645.

AN ACT for the benefit of S. W. Owens, Sheriff of Ballard County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time till the first day of August next, be allowed S. W. Owens, sheriff of Ballard county, to make out his delinquent list for the year 1864, and pay up the balance of revenue for said year: *Provided*, That the sureties of said sheriff shall, in open court, in the county court of said county, to be entered of record, assent to such extension.

§ 2. That this act shall take effect from its passage.

Approved June 2, 1865.

CHAPTER 1646.

AN ACT for the benefit of James T. Robertson, Sheriff of Hopkins County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That James T. Robertson, sheriff of Hopkins county, have the further time until the first day of August next, to collect and pay into the treasury the balance of unpaid revenue, and return his delinquent lists for the year 1864.

§ 2. This act shall take effect from its passage.

Approved June 2, 1865.

1865.

CHAPTER 1647.

AN ACT for the benefit of the Administrator of Thomas Allin, late Clerk of the Mercer County Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That S. S. McFatridge, administrator of Thomas Allin, deceased, be, and he is hereby, allowed the further time of two years to list and collect all fee bills due and owing said decedent, and now uncollected, subject, however, to the restrictions placed by law on the collection of illegal fee bills.

§ 2. This act to take effect from its passage.

Approved June 2, 1865.

CHAPTER 1648.

AN ACT for the benefit of John W. Gregory, sheriff of Union county, and Asa Gilbert, sheriff of Clay county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That John W. Gregory, sheriff of Union county, and Asa Gilbert, sheriff of Clay county, have the further time until the first day of September next, to collect and pay into the Treasury the unpaid revenue for the year 1864, and to return their delinquent lists: *Provided, however,* That before they accept the benefit of this act their sureties shall give their consent to this extension, to be there entered in the Union county court and the Clay county court of record.

§ 2. That this act shall take effect from its passage.

Approved June 2, 1865.

CHAPTER 1649.

AN ACT to amend an act, entitled "An act to amend the road law in Bracken County," approved 8th February, 1864.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That an act, entitled "An act to amend the road law in Bracken county," approved February 8th, 1864, be so amended as to authorize the road commissioner to distribute his road lists between the first day of September and the first day of October in each year, instead of the time now provided by law; and the time is also extended for returning lists for road tax of the year 1864 to the first Monday in October next, instead of the first Monday in July next.

§ 2. This act to take effect from its passage.

Approved June 2, 1865.

CHAPTER 1650.

1865.

AN ACT to change a Voting Precinct in Knox County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That so much of Upper Stinking creek precinct, in Knox county, be so changed as that all that portion of said precinct that lies on Big creek below a straight line from Soloman Hammand's, on the road fork to George Patterson's, on Big creek, be added to Flat Lick precinct.

§ 2. This act to be in force from its passage.

Approved June 2, 1865.

CHAPTER 1651.

AN ACT for the benefit of Marcus L. Ogden, late Clerk of the Daviess County Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Marcus L. Ogden, late clerk of the Daviess county court, be, and he is hereby, allowed the further time of two years to collect his fees as clerk aforesaid, with power to distrain for the same, subject, however, to the legal penalties consequent upon the issuance of illegal fee bills.

§ 2. This act to take effect from its passage.

Approved June 2, 1865.

CHAPTER 1652.

AN ACT to authorize the Montgomery County Court to levy a tax to build a jail-house in said county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Montgomery county be, and they are hereby, empowered and authorized, at such time as they may deem proper, to levy an ad valorem tax of not over six cents on each one hundred dollars of taxable property in said county, and not exceeding one dollar capitation tax on each tithe in said county, for the term of two years; and when collected, to appropriate the same to the building of a jail-house in said county.

§ 2. It shall be the duty of the sheriff of said county to collect said tax at the same time and under the same responsibility that he collects the other tax of said county; and he shall pay the same to any person or persons said court may direct; and he shall be paid for his services at the discretion of the county court of said county.

Approved June 2, 1865.

1865.

CHAPTER 1653.

AN ACT for the benefit of John C. Latham, late Clerk of the Christian Circuit Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That John C. Latham, late clerk of the Christian circuit court, be allowed the further time of two years from the 1st day of June, 1865, to collect and distrain for his uncollected fee bills, subject to the regulations of laws now in force.

§ 2. This act shall take effect from its passage.

Approved June 2, 1865.

CHAPTER 1654.

AN ACT for the benefit of M. W. Galloway, late Sheriff of Graves County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the further time of one year, from and after the passage of this act, be, and is hereby, allowed to M. W. Galloway, late sheriff of Graves county, in which to collect the balance of the public revenue and his fee bills for the year 1860; he shall have full power and authority to distrain for the same, he and his sureties in his official bond being liable for illegal distress, as in other cases: *Provided*, That his sureties shall consent in open county court for said county, and entered of record, to the provisions of this act: *Provided further*, That this act shall in nowise suspend any proceeding by the Commonwealth against him for the collection of said revenue.

§ 2. This act shall be in force from its passage.

Approved June 2, 1865.

CHAPTER 1655.

AN ACT for the benefit of T. J. Puryear, late Sheriff of Graves County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That T. J. Puryear, late sheriff of Graves county, be, and is hereby, allowed the further time of one year, from and after the passage of this act, in which to collect the balance of the public revenue and county levy and his fee bills for said county for the years 1863 and 1864. He shall have full power and authority to distrain for the same, he and his sureties in his official bond being liable for illegal distress, as in other cases: *Provided*, That his sureties shall consent, in open court, in the county court

for said county, and entered of record, to such extension of time.

1865.

§ 2. This act shall be in force from its passage.

Approved June 2, 1865.

CHAPTER 1656.

AN ACT to amend an act, entitled "An act to incorporate the Ohio and Mississippi Transportation Company."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That said company shall hereafter be required, in the transportation of passengers from one port to another, to give the white passengers who first pay their fare a state-room, until all the rooms used for passengers are taken on any of their passenger boats, whether they be through or way passengers.

§ 2. Should said company at any time fail or refuse to give any such passenger a state-room who has paid their fair, unless all the rooms on said boat (not particularly used and set apart for the officers thereof) are taken, the party aggrieved by such failure or refusal may recover off of said company one hundred dollars for each offense, by suit at law, before any of the courts of this Commonwealth having jurisdiction thereof; in all suits against said company for a violation of the provisions of this act, process shall be executed as is now provided by law for the execution thereof against owners of steamboats.

Approved June 2, 1865.

CHAPTER 1657.

AN ACT for the benefit of Wm. E. Ashbrook, late sheriff of Kenton County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William E. Ashbrook, late sheriff of the county of Kenton, shall have the further time of two years, from the passage of this act, to collect all unpaid taxes and fees to him delivered or due for the years 1857, 1858, 1859, and 1860, subject to the same liabilities, restrictions, and responsibilities as are now imposed by law in such cases, and as though they had been delivered or collected before the expiration of his office.

§ 2. This act to be in force from its passage.

Approved June 2, 1865.

1865.

CHAPTER 1658.

AN ACT to amend the charter of the City of Louisville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Election of
councilmen
regulated.

§ 1. That the common councilmen hereafter elected in and for the city of Louisville, shall be chosen for two years; except that at the next general election for city officers, on the 1st Saturday in April, 1866, the councilman in each ward who shall receive the greatest number of votes, shall hold office for two years, and the other councilman then elected shall hold office for but one year from the day of election, and thereafter one councilman for each ward shall be elected each year for two years; in the event of a tie vote between two or more of the candidates for said office at the election of 1866, it shall be decided by lot which of them shall hold office, and which shall hold for two years and which for one year. Upon the mayor or any councilman, or other officer of said city, becoming bound as surety on any official bond to said city, or contract, or bond executed under any ordinance or resolution of the general council, the office of the person so becoming bound as surety shall be vacated, and the vacancy filled as directed by the provisions of the charter or amendments thereto.

Upon mayor,
councilman, or
other officer be-
coming bound
as surety on any
official bond,
office vacated.

When taxes not
assessed at
right time, may
be assessed
within five
years.

§ 2. The 1st section of article 6 of the city charter is hereby so amended that hereafter when, from any error, omission, oversight, or other cause, the taxes ordered by the city to be assessed and imposed upon property within said city subject to taxation, shall fail to be assessed and imposed on said property, such property may be, nevertheless, assessed and charged with such taxes at any time during five years after the expiration of the year in and for which said taxes should have been assessed and charged; which taxes, so afterwards assessed, shall be secured by lien, and be collectable as though the taxes had been regularly assessed and at the proper time: *Provided*, That a purchaser of any such property, without notice of the new assessment of the same, shall be protected against said lien and tax.

May procure
construction of
fire plugs, &c.

§ 3. The general council may pass ordinances to procure the construction of fire-plugs or other attachments to street water-pipes in said city, for supplying water for the extinguishment of fires and watering the streets, to be paid for out of the general treasury.

Owners of
property not
permitted to
pave and grade
streets.

§ 4. The 3d section of article 7 of the city charter is hereby repealed; and so much of said charter as provides for or permits the grading, paving, or curbing, or re-grading, re-paving, or re-curbing of sidewalks to be done by private contract, or by the owners of the property themselves, is also hereby repealed; and, hereafter, said general council may pass ordinances to procure the grading, pav-

General coun-
cil may have
same done.

1865.

ing, curbing, and furnishing with metal gutters, or re-grading, re-paving, re-curbing, and furnishing with metal gutters, the whole or any portion, in width or length, of the sidewalks on any square or squares, or portions of a square within the city limits, or such one or more of said modes of improvement thereof as said council may direct or authorize to be done, and at the cost of the owner or owners of property fronting on such sidewalk, and to be apportioned according to the amount of work actually done in front of such property or parts of property; and for such cost a lien is hereby created against such property or parts of property: *Provided*, That the general council shall have no power to subject any such property-holder to the cost or expense of any re-paving or re-curbing, unless such work is necessary on account of the worn out or bad condition of the curbing or paving: *Provided*, That when the city changes the grade of any street, alley, sidewalk, or curbing that has been made according to the ordinances of the city, or under the direction of the city engineer, the owner of property fronting such street or alley shall in nowise be liable for any cost for such change.

§ 5. The general council shall have power to pass ordinances to procure the improvement, from time to time, of the whole or any portion, in length or width, of any unpaved street or alley now established, or which may be hereafter established within the limits of the city, by grading, or by grading, curbing, and paving with bowlders or with stone, with or without macadamizing and gravel, together or alone, or otherwise improving the same; all of which shall be done at the cost of the owners of the property fronting such street or alley; which cost shall be apportioned according to the number of feet each may own in front of said improvement, and be at once collectable from said property-owners; and a lien is hereby created on said property for the cost of said improvement. But when the general council shall think fit, either before the contract for the improvements shall be made, or after the work shall have been completed, the payment of the cost of any or all such improvements may, from time to time, be provided for or advanced by the city for the property-owners; the repayment of which advances, with interest thereon to the city, shall be secured by a lien on the property, and may be made due to and be collected by the city in such annual installments as shall be fixed by the general council, and to be considered and held against said property as taxes, and inserted for collection in the tax bills against said property, and the payment thereof be demandable, enforced, and collected as other city taxes. To provide funds with which to make such advances, the general council shall have power and authority to pledge the credit of the

May have unpaved streets & alleys improved.

To be done at cost of owners.

Lien reserved.

Payment may be advanced by council for owners.

Repayment to be secured.

How to procure funds.

1865.

Liens may be removed—and how.

city, and, from time to time, to issue and dispose of appropriate bonds of the city, having such dates and maturities, and bearing interest payable annually or semi-annually, with interest coupons attached, as the general council may provide. Yet when the lien shall not have been otherwise enforced, the owners of said property, or any portion thereof, may, at any time before or after maturity of said bonds, disencumber and relieve said property of the lien aforesaid by paying to the city the amount paid or assumed to be paid by the city, together with the legal interest as may have accrued thereon, on account of the improvement for which the city may have paid or assumed payment as aforesaid.

How liens to be enforced.

§ 6. The liens given in sections 4, 5, and 7 of this act may be enforced in the same manner, and subject to the same terms and provisions, as contained in section 5 of article 7 of the city charter; or the apportionment or assessment of the cost of any of the improvements, work, or materials done, as permitted by this act, may be recovered at law against the person or persons chargeable therewith, as in other cases of contract; and it shall be lawful for the court hearing the cause at any time to correct any errors in the apportionment or assessment, either as to the amount or as to the person against whom the apportionment has been made, or any other error, and to substitute the name of the proper party to be charged therewith, or to cause another or other apportionment warrants or assessments to be made out and issued in conformity with such corrections as may be proper.

Court may correct errors.

Council may pass ordinances providing for cleaning & protecting streets, alleys, &c.

§ 7. The general council shall have power and authority to provide by ordinance for cleaning, keeping clean, and protecting the streets, alleys, and sidewalks within said city, and further, to cause the owner of the property fronting any street or alley within said city to grade, level, or fill up, or otherwise improve his or her said ground so as to prevent the collection or continuance of water thereon, and so as to protect the street, alley, or sidewalk made, or about to be made, from falling in, washing away, or other injury, or being obstructed or encumbered with dirt or other substance. And said general council shall have power and authority, by ordinance, to adopt and establish rules and regulations to be observed in complying with the terms of the ordinances passed to carry out the provisions mentioned in this section, and to enforce the same by adequate fines and penalties, and to pass ordinances ordering all or any of said provisions to be complied with by the owners of the property described in the ordinance, within a time to be fixed by the ordinance; and, in the event of a failure to comply with the requirements of said ordinance, it shall be lawful for the city to cause the work

Ordinances may be enforced

1865.

and improvements to be done, and the cost thereof shall be a charge upon and secured by a lien on said ground on which the work or improvement is done.

§ 8. The general council may, from time to time, by ordinance, create, establish, regulate, and enforce, by fines and penalties, the inspection, measuring, gauging, and weighing of coal, wood, lime, flour, salt, pork, beef, lard, tallow, butter, liquor, oils, and other liquids sold, offered, or kept for sale within said city, and regulate the fees therefor; and so much of the city charter, or any act of the General Assembly, as conflicts with the provisions of this section, is repealed.

Council to pass ordinances in relation to inspection, measuring, &c.

§ 9. Where by section 1, of an act approved February 18, 1864, entitled "An act to amend an act, entitled an act to charter the city of Louisville," power is given for certain causes to fine and hold to bail, said section shall not be so construed as to authorize holding to bail without also imposing the fine as therein permitted; but a party may be fined without being held to bail.

Sec. 1, of act of February 18, 1864, construed.

§ 10. The general council shall have power, by ordinance or resolution, to receive and accept any street or alley, or extension of any street or alley laid out by any person or persons within the city limits, and make and declare the same an established street or alley of the city of Louisville; and also to lay out, open, widen, or extend any street, alley, or market place, wharf, or public landing within the city limits, and to appropriate or procure the condemnation of real estate and improvements thereon, for these purposes, by filing a petition in the city court of Louisville, which court shall have jurisdiction of the same, and authority to issue writs of *ad quod damnum* in such cases; and to cause summons to issue on such petitions, and appropriate proceedings to be had, and to make such orders and judgments therein as may be right and proper. The owners of the property shall be made defendants, and be proceeded against by actual or constructive summons; such of said owners as may be non-resident, or infant, or absent, or unknown defendants, shall be proceeded against as provided by the code in other civil proceedings; and the petition shall designate the land or property sought to be condemned, and may include that of several persons. After the defendants shall have been actually or constructively summoned, the writ of *ad quod damnum* shall issue and designate the land or property sought to be condemned, and shall be directed to the marshal of said court, or to the sheriff or coroner of Jefferson or other proper county, and shall direct him to hold an inquest by a jury of twelve impartial and discreet freeholders of the city, at or near the land or property, on a day to be fixed by the court, to ascertain the amount of damage each owner

May receive any street or alley, or extension of same laid out in said city, &c.

May lay out, open, & widen streets, &c.—& how.

Owners of property to be made defendants.

Writs of *ad quod damnum*, when to issue, & proceedings under same.

1865.

will severally sustain, if it be condemned for the purposes asked. Besides the challenge for interest or kinship, or any just cause, each party may challenge three jurors without cause. The jurors shall be sworn truly and impartially to ascertain and determine, by their inquest, the amount of compensation each owner will be entitled to if his land or property, as named in the writ, is condemned. The inquest shall be in writing, be signed by the foreman of the jury, and handed to the marshal or other officer, and returned with the writ, within five days, to the clerk of the court. If the jury cannot agree, the marshal or other officer may discharge it and summon another jury or other juries; and if, from that or any other cause, the inquest cannot be completed on the day appointed, he may adjourn it from time to time until it is completed, without further notice than his proclamation made at the time. Either party may, within ten days after the finding of the inquest, file a traverse thereof with the clerk of the court; whereupon the case shall be docketed for the first day of the next term, if it is ten days after the inquest, otherwise, on the first day of the next succeeding term; it shall be tried by a jury of twelve freeholders empaneled for that purpose. The party failing on the traverse shall pay the cost thereof, and the party traversing fails, when the verdict traversed is not increased or diminished, as his interest may require. The cost of the inquest up to the traverse shall, in all cases, be paid by the city of Louisville. Either party may have the decision revised in the Court of Appeals, by appeal with or without supersedeas. The amounts allowed to the owners of the land or property, by the inquest of the jury or under the traverse, shall be paid into court, and shall only be withdrawn by the party entitled thereto, under order of the court; and, upon such payment into court, or upon proof of payment of the amount allowed to the owners of the land or property, by the inquest or under the traverse, or where none or merely nominal damages are found, the court shall confirm the inquest or verdict on the traverse, which confirmation shall vest the right to the land and property in the city, for the purposes set forth in the petition, and a writ of possession may be, at any time, issued. If the amount allowed to the owners of the land or property be not paid within one month next after the final order or judgment under the inquest or the traverse, the city shall be considered as having abandoned all claim under that condemnation; but the city shall be bound by the finding on the second inquest or traverse on the same property, unless such finding of the jury is reversed by the Court of Appeals. The provisions of chapters 100 and 103 of the Revised Statutes shall not apply to

nor govern proceedings to condemn property, the condemnation of which is asked by the city of Louisville.

1865.

§ 11. The name of the office of "City Attorney" shall be changed to and hereafter called "Prosecuting Attorney." Name of office of city attorney changed.

§ 12. The commencement of the present fiscal year of the city of Louisville shall date as of the 1st day of January, 1865; yet said change shall not affect any matters transacted having reference to March 10th as the commencement of the fiscal year; and the succeeding fiscal years shall commence on the 1st day of January of each year, subject, however, to such changes as the general council may hereafter deem proper to make. [Commencement of fiscal year.]

§ 13. This act shall take effect from its passage.

Approved June 2, 1865.

CHAPTER 1659.

AN ACT for the benefit of James C. Weller, former Clerk of the County Court of Caldwell County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor is hereby directed to draw his warrant upon the treasury in favor of the said James C. Weller for the sum of sixty-four dollars, which sum was taken by force from said Weller by a company of Confederate State troops the — day of —, and which sum has been paid into the State Treasury by the said Weller, as clerk aforesaid.

§ 2. This act shall take effect from its passage.

Approved June 2, 1865.

CHAPTER 1660.

AN ACT to change the State Road from Hopkinsville to Columbus.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Marshall county be, and the same is hereby, authorized to change that part of the State road, from Hopkinsville to Columbus, that passes through the lands of H. B. Williams and Mrs. Hodge.

§ 2. This act to take effect from and after its passage.

Approved June 2, 1865.

1865.

CHAPTER 1661.

AN ACT to amend an act, entitled "An act to incorporate the Obey and Wolf Creek, and Kentucky and Tennessee Petroleum, Oil, Mining, and Manufacturing Company."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the act of the General Assembly passed during this session, entitled "An act to incorporate the Obey and Wolf Creek, and Kentucky and Tennessee Petroleum, Oil, Mining, and Manufacturing Company," be so amended as to limit and fix the capital stock of said company at one million of dollars, divided into shares of not less than ten nor more than one hundred dollars, at the option of the directors of said company.

§ 2. This act shall take effect from its passage.

Approved June 2, 1865.

CHAPTER 1662.

AN ACT to incorporate the Loretto and St. Rose Turnpike Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a company is hereby created for the purpose of constructing a turnpike or gravel road from some point on the Springfield and Bardstown turnpike road, by the way of St. Rose's church, to Loretto, in Marion county, by the name of the "St. Rose and Loretto turnpike road company;" by that name they may sue and be sued, hold, acquire, and convey all necessary real and personal estate, for the purpose of constructing said road and keeping it in operation.

§ 2. The capital stock of said company shall be twenty thousand dollars, with the privilege of extending it to fifty thousand dollars, to be divided into shares of fifty dollars each.

§ 3. The books for the subscription of stock in said company shall be opened by the Rev. Mathew O'Bryan, Levi J. Smith, Jas. H. Gettings, Chas. M. Wright, Wat. Wright, Nathaniel Wright, Robert B. Montgomery, C. A. Vancleave, jr., Edward Bearn, Dr. John Lancaster, W. H. Smith, Thomas S. Hogan, Jas. M. Ballard, and George N. Moore, as commissioners, or any two of them, at such times and places as they may think proper.

§ 4. That the fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, fifteenth, and sixteenth sections of an act, entitled "An act to incorporate the Columbia and Burksville turnpike road company," approved February

16, 1864, be, and the same are, a part of this act as fully as though said sections were fully inserted herein.

1865.

§ 5. This act shall take effect from its passage.

Approved June 2, 1865.

CHAPTER 1663.

AN ACT for the benefit of the sheriff of Hancock county.

WHEREAS, By virtue of "An act for the benefit of the sheriff of Hancock county," approved January 26, 1865, William S. Thomas, the sheriff elect, attempted to qualify and execute bonds as sheriff, on the 1st day of May, 1865, before John McBrown, the presiding judge of the Hancock county court; and after his bonds and security were taken and approved, the said county judge was suddenly taken ill before the oath of office was administered, and was and has been unable ever since to appear in court to sign the orders or do any other business; and whereas, said Wm. S. Thomas, on the same day, appeared before Hiram Taylor, the police judge of Hawesville, and took the several oaths required by law as sheriff, and had it certified on the certificates of his election, and filed the same with his bond in the clerk's office; now,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the nearest justice of the peace to the courthouse in said county shall examine the records of the county court of that day, touching the qualification of said sheriff, and sign the records as presiding judge, *pro tem.*, and said qualification of said Thomas as sheriff shall be as valid and legal as if done and completed before the presiding judge of said court on the 1st day of May, 1865.

§ 2. This act to be in force from its passage.

Approved June 2, 1865.

CHAPTER 1664.

AN ACT to enable the Deposit Bank of Stanford to wind up its affairs.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the president, directors, and company of the Deposit Bank of Stanford, be, and they are hereby, authorized and empowered to wind up the affairs of said bank, if a majority of the stockholders represented by stock shall consent to the same, or have consented thereto.

§ 2. To effect this, the said president, directors, and company, shall have all the powers which may be necessary

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and proper to wind up and liquidate the affairs of said bank upon equitable principles.

§ 3. This act to take effect from its passage.

Approved June 2, 1865.

CHAPTER 1665.

AN ACT to change the line of the Lebanon voting precinct, in Marion county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the line of the Lebanon voting precinct, in Marion county, be so changed as to include all the corporate limits of the town of St. Mary's in said Lebanon voting precinct; and all the qualified voters of St. Mary's shall vote at the town of Lebanon.

§ 2. This act to take effect from its passage.

Approved June 2, 1865.

CHAPTER 1666.

AN ACT concerning the estate of Dennis Letcher, free man of color, late of Garrard County.

WHEREAS, It is represented to this General Assembly that Dennis Letcher, a free man of color, of Garrard county, died intestate and without heirs, the owner of a small personal estate, which will escheat to the Commonwealth; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Elijah Lear, the administrator of the estate of the said Dennis Letcher, be, and he is hereby, directed to make a full settlement of his accounts as administrator of said estate, and hold the balance that may be in his hands after said settlement as trustee, for the use and benefit of Nancy Letcher, the surviving wife of said Dennis, and the children of said Nancy, using principal and interest for that purpose, as he may deem best.

§ 2. This act to take effect from its passage.

Approved June 2, 1865.

CHAPTER 1667.

AN ACT to incorporate the People's Library Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Littleton Cooke, John Goodman, and Edward Fulton, their associates, successors, or assigns, shall be, and

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they are hereby, created a body-politic and corporate, by the name of the "People's Library Company," with power in that name, to contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places as a natural person, and to have and use a common seal, and to alter, change, and renew the same at pleasure; also to make all rules, by-laws, regulations, and conditions, that they may think proper for the management and government of said company, and the conduct of its affairs and business, and to do all other acts and things not contrary to the constitutions of the United States and the Commonwealth of Kentucky; and the persons hereinbefore named, their successors or assigns, are hereby constituted the first directors and managers of said company, with full power and authority to organize and establish the same upon any plan that they may deem expedient; they may elect or appoint, in any manner that they may choose, such officers and agents as may be necessary to attend to the affairs and business of said company, and discharge and change them at pleasure, and may fix their compensations, and prescribe their qualifications, powers, and duties; they may prescribe the time and mode of their own succession, and have all other powers usual and incident to corporations, and do anything necessary to an efficient organization of said company.

§ 2. The capital stock of said company may be any amount, not exceeding three hundred thousand dollars, as the directors or managers of said company for the time being may think advisable; and the persons named in the first section of this act, or their successors or assigns, may open books for subscriptions to the same, at such times and places, in or out of this State, and subject to such rules, regulations, and conditions, as they may think proper; they may prescribe how the stock of said company shall be sold and transferred, and said stock shall be held to be personal estate, and pass as such; they are hereby authorized and empowered to borrow money, and arrange, classify, and issue bonds, certificates, and other things, in such numbers, words, figures, manner, and form, as they may choose, and sell and otherwise dispose of the same at will for such considerations, and upon any terms and conditions, and subject to such rules and regulations, as they may think proper; and it shall be lawful for said company to lease or purchase in fee, a lot or lots, and erect thereon such buildings as they may choose, and exercise all individual rights of ownership over the same; and they may furnish and provide any building which they may lease or purchase with such books, pictures, statuary, and other things, as they may desire, and sell or otherwise dispose of the same at will; said company may receive donations, gifts, and

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legacies, and may prescribe the terms and conditions of admission to the use and benefit of said library; but it is expressly understood that said company shall exercise no banking or lottery privileges.

§ 3. This act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1668.

AN ACT to incorporate the Bank of Russellville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Bank estab-
lished, and cor-
porate powers.

§ 1. That there is hereby established a savings and deposit bank in the town of Russellville, Kentucky, with a capital of one hundred thousand dollars, in shares of one hundred dollars each, to be subscribed and paid for as hereinafter specified; and the subscribers, their associates, successors, and assigns, shall be a body-politic and corporate, by the name and style of the "Bank of Russellville," and shall so continue for twenty-five years from its organization, and shall have all the rights and privileges of a natural person in contracting and being contracted with, in suing and being sued, and of impleading, answering, and defending, in all courts and places whatever; said bank may have and use a common seal, and change the same at pleasure.

Who to con-
duct business.

Term of office.

When election
to be held.

Vacancies.

President.

May sell unsold
stock.

Officers to be
appointed.

Take bond.

§ 2. That said bank shall be under the control and management of five directors, who shall be stockholders, residing in this State. each of whom shall own in his own right and name at least twenty-five shares of stock, and, after the first annual election, shall have owned the same at least six months before his election; they shall hold their offices until their successors are elected and qualified; and, after the first election, shall be elected on the second Monday in July in each year, or as soon thereafter as is practically convenient; and in case of a vacancy the remaining directors shall have power to appoint a qualified stockholder to fill it; they shall elect one of their number president, who shall preside at their meetings, and perform such other duties as may be assigned him by this charter and their by-laws. They shall have power to sell any of the stock remaining unsold; to declare dividends of the profits arising out of the business of the bank; to appoint such officers, agents, and employes as they may deem necessary to conduct the business of the bank, and pay them for their services; to take from the president, cashier, and other employes, such bond as they may deem proper and reasonable to secure a faithful performance of

their respective duties; and to make such by laws as they may deem necessary for the proper management of the bank, provided the same be not contrary to the constitution and laws of this State and of the United States. The stock shall be deemed personal property, and shall be transferable only on the books of the bank by the stockholder or his attorney, under such rules and regulations as the directors shall from time to time establish; but the corporation shall have a lien on the stock to secure any indebtedness to the bank by the stockholder.

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May make by-laws.

Stock personal property, and transferable.

Lien on stock to secure indebtedness.

§ 3. That G. W. Norton, Hugh Barclay, Dr. G. R. Bibb, W. M. Grubbs, Jno. King, R. W. Courts, G. T. Blakey, Thos. B. Harrison, Dr. T. H. Grubbs, Jas. E. Wright, A. D. Kennedy, H. B. Tully, W. D. Boyer, James Beall, Henry Roberts, Geo. T. Edwards, and P. N. Bradly, are hereby appointed commissioners, any three of whom, after giving notice to the others, may open books in the town of Russellville, and receive subscriptions for the capital stock of said bank; and when one half or more of said stock shall have been subscribed for, it shall be their duty to give notice to the stockholders and appoint a day for the election of a board of directors, who shall hold their offices until the ensuing annual election. The payment for the shares subscribed for shall be as follows: five dollars on each share at the time of subscribing, and twenty dollars on each share within twenty days after the election of the first board of directors, and the remainder in such amounts, and at such times, as the directors may require: *Provided*, That no one call shall be for a larger amount than twenty dollars per share, and at a shorter notice than twenty days; and furthermore, that nothing contained herein shall be construed so as to prevent any stockholder from making payments on his stock in advance of the calls made by the directors; said corporation may commence business so soon as ten thousand dollars shall have been paid in as capital.

Commissioners to open books.

When directors to be elected.

Payment of stock.

§ 4. That said bank may receive deposits of gold and silver coin, bank notes, and other notes, which may be lawfully circulating as money, and repay the same in such manner, at such times, and with such rate of interest, as may be agreed upon with the depositors by special or general contract; may deal in the loaning of money; may buy and sell bills of exchange, promissory notes, uncurrent money, stocks, bonds, mortgages, and other evidences of debt; take personal and other securities for the payment of the same. All promissory notes and inland bills of exchange, which may be discounted and owned by said bank, shall be, and are hereby, put upon the same footing of foreign bills of exchange, except as to damages, and like remedy may be had

May receive deposits.

May loan money.

Promissory notes.

1865.

thereon, jointly and severally, against the drawers and indorsers.

May receive deposits from minors, &c.

§ 5. That said bank may receive deposits from minors and married women, and the receipts and acquittances of such minors and married women shall be valid.

May acquire lands.

§ 6. That said bank may acquire, hold, and use all such real estate, goods and chattels, as may be necessary and convenient for the transaction of its business, or which may be conveyed to it as surety for any debt, or purchased in satisfaction of any debt, judgment, or decree, and sell and convey the same; and may buy its own stock in payment of a debt, judgment, or decree; but shall resell the same as soon as it is practically convenient.

Dividends.

§ 7. That no greater dividend than ten per centum per annum shall be paid to the stockholders, unless the surplus fund remaining on hand shall be equal to one fifth of the capital paid in.

No loan to stockholder to pay stock.

§ 8. That no loan or discount shall be made to any stockholder to pay any call or balance due on his stock.

Liability of stockholders.

§ 9. That every stockholder shall be individually liable to the creditors of the bank to the full amount of stock subscribed for and owned by him; but when the same shall have been paid for in full, then no further liability attaches to said stockholder.

State tax.

§ 10. That it shall be the duty of the president, on the first Monday in July in each year, to pay into the Treasury of the State fifty cents on each one hundred dollars of stock held and paid for in said bank, which shall be in full of all tax or bonus to the State, and shall form a part of the sinking fund of this Commonwealth.

Not to issue circulating medium.

§ 11. That it shall not be lawful for said bank to issue any note or bill to circulate as money.

Penalty for misappropriation of funds.

§ 12. That if the president, cashier, teller, clerks, or other officers, shall appropriate any of the funds of said corporation to his own use, or shall willfully fail to make correct entries, or knowingly make false ones on the books of the bank, with intent to cheat or defraud the bank or any person, or to conceal any improper appropriation of funds, the person or persons so offending shall be deemed guilty of felony, and, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of this Commonwealth for a period of not less than two nor more than twenty years.

President, directors, &c., to take oath.

§ 13. That the president, directors, and other officers of this bank, previous to entering on the discharge of their duties, shall take an oath before some justice of the peace or other officer of this State authorized to administer oaths, faithfully, honestly, and to the best of their skill and judgment, to discharge all the duties of their respective offices and stations under this charter, or which may be required

of them by the by-laws, rules and regulations of the corporation, and that they will not, during their continuance in office, sanction or permit any of the provisions of this charter to be violated; and should any occur without their concurrence, that they will immediately report the same to the Attorney General of this Commonwealth.

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§ 14. That the General Assembly reserves the right to repeal or amend this charter at pleasure.

§ 15. Nothing in this act shall be so construed as to authorize the incorporators to violate the laws of this State in regard to usury. Not to violate laws in regard to usury.

§ 16. This act shall take effect from its passage.

Approved June 2, 1865.

CHAPTER 1669.

AN ACT to incorporate the Bank of Bowling Green.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established a saving and deposit bank in the town of Bowling Green, Kentucky, with a capital of one hundred thousand dollars, in shares of one hundred dollars each, to be subscribed and paid for as hereinafter specified; and the subscribers, their associates, successors, and assigns, shall be a body-politic and corporate, by the name and style of the Bank of Bowling Green, and shall so continue for twenty-five years from its organization, and shall have all the rights and privileges of a natural person in contracting and being contracted with, in suing and being sued, and of impleading, answering, and defending, in all courts and places whatever; said bank may have and use a common seal, and change the same at pleasure.

Bank established, and corporate powers.

§ 2. That said bank shall be under the control and management of five directors, who shall be stockholders residing in this State, each of whom shall own in his own right and name at least twenty-five shares of stock, and, after the first annual election, shall have owned the same at least six months before his election; they shall hold their offices until their successors are elected and qualified, and, after the first election, shall be elected the second Monday in July in each year, or as soon thereafter as is practically convenient; and in case of a vacancy, the remaining directors shall have power to appoint a qualified stockholder to fill it; they shall elect one of their number president, who shall preside at their meetings and perform such other duties as may be assigned him by this charter and their by-laws; they shall have power to sell any of the stock remaining unsold, to declare dividends of the profits arising out of the business of the bank, to appoint such

Who to conduct business.

Term of office.

When directors to be elected.

Vacancies.

President.

May sell unsold stock, declare dividends &c.

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Officers to be appointed. Take bonds.	
May make by-laws.	
Stock personal property, and transferable.	The stock shall be deemed personal property, and shall be transferable only on the books of the bank by the stockholder or his attorney, under such rules and regulations as the directors shall, from time to time, establish; but the corporation shall have a lien on the stock to secure any indebtedness to the bank by the stockholder.
Commissioners to open books.	§ 3. That T. C. Calvert, J. R. Underwood, Elijah Claypoole, Wm. V. Loving, and Samuel Barclay, are hereby appointed commissioners, any three of whom, after giving notice to the others, may open books in the town of Bowling Green, and receive subscriptions for the capital stock of said bank; and when one half or more of said stock shall have been subscribed for, it shall be their duty to give notice to the stockholders and appoint a day for the election of a board of directors, who shall hold their offices until the ensuing annual election. The payment of the shares subscribed for shall be as follows: Five dollars on each share at the time of subscribing, and twenty dollars within twenty days after the election of the first board of directors, and the remainder in such amounts and at such times as the directors may require: <i>Provided</i> , That no one call shall be for a larger amount than twenty dollars per share, and at a shorter notice than twenty days; and, furthermore, that nothing contained herein shall be construed so as to prevent any stockholder from making payments on his stock in advance of the calls made by the directors; said corporation may commence business so soon as ten thousand dollars shall have been paid in as capital.
When board of directors to be elected.	
Term of office.	
Calls on stock.	
When to commence operations.	
May receive deposits.	§ 4. That said bank may receive deposits of gold and silver coin, bank notes, and other notes, which may be lawfully circulating as money, and repay the same in such manner, at such times, and with such rates of interest, as may be agreed upon with the depositors, by special or general contract; may deal in the loaning of money, may buy and sell bills of exchange, promissory notes, uncurrent money, stocks, bonds, mortgages, and other evidences of debt; take personal and other securities for the payment of the same. All promissory notes and inland bills of exchange, which may be discounted and owned by said bank, shall be, and are hereby, put on the same footing of
May loan money.	
Promissory notes.	

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foreign bills of exchange, except as to damages, and like remedy may be had thereon, jointly and severally, against the drawers and indorsers.

§ 5. That said bank may receive deposits from minors and married women, and the receipts and acquittances of such minors and married women shall be valid.

May receive deposits from minors, &c.

§ 6. That said bank may acquire, hold, and use all such real estate, goods and chattels, as may be necessary and convenient for the transaction of its business, or which may be conveyed to it as surety for any debt, or purchased in satisfaction of any debt, judgment, or decree, and sell and convey the same; and may buy its own stock in payment of a debt, judgment, or decree, but shall re-sell the same as soon as it is practically convenient.

May acquire lands.

§ 7. That no greater dividend than ten per centum per annum shall be paid to the stockholders, unless the surplus fund remaining on hand shall be equal to one fifth of the capital paid in.

Dividends.

§ 8. That no loan or discount shall be made to any stockholder to pay any call or balance due his stock.

No loan to stockholder to pay stock.

§ 9. That every stockholder shall be individually liable to the creditors of the bank to the full amount of stock subscribed for and owned by him; but when the same shall have been paid for in full, then no further individual liability attaches to said stockholder.

Liability of stockholders.

§ 10. That it shall be the duty of the president, on the first Monday in July in each year, to pay into the Treasury of the State fifty cents on each one hundred dollars of stock held and paid for in said bank, which shall be in full of all tax or bonus to the State, and shall form part of the sinking fund of this Commonwealth.

State tax.

§ 11. That it shall not be lawful for said bank to issue any note or bill to circulate as money.

Not to issue circulating medium.

§ 12. That if the president, cashier, teller, clerks, or other officers, shall appropriate any of the funds of said corporation to his own use, or shall willfully fail to make correct entries, or knowingly make false ones, on the books of the bank, with intent to cheat or defraud the bank or any person, or to conceal any improper appropriation of funds, the person or persons so offending shall be deemed guilty of felony, and, upon conviction thereof, shall be sentenced to confinement in the jail and penitentiary of this Commonwealth for a period of not less than two nor more than twenty years.

Penalty for misappropriation of funds.

§ 13. That the president, directors, and other officers of this bank, previous to entering on the discharge of their duties, shall take an oath before some justice of the peace of this State, faithfully, honestly, and to the best of their skill and judgment, to discharge all the duties of their re-

President, directors, &c., to take oath.

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spective offices and stations under this charter, or which may be required of them by the by-laws, rules, and regulations of the corporation, and that they will not, during their continuance in office, sanction or permit any of the provisions of this charter to be violated; and should any occur without their concurrence, that they will immediately report the same to the Attorney General of this Commonwealth.

§ 14. That the General Assembly reserves the right to repeal or amend this charter at pleasure.

§ 15. Nothing in this act shall be so construed as to authorize the incorporators to violate the laws of this State in regard to usury.

§ 16. That this act shall take effect from its passage.

Approved June 2, 1865.

CHAPTER 1671.

AN ACT to incorporate the Campbell County Mining, Manufacturing, and Coal Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That N. B. Shaler, L. R. Hawthorne, and J. Hawthorne, their associates, successors, and assigns, be, and are hereby, created a body corporate and politic, by the name of the Campbell County Mining, Manufacturing, and Coal Oil Company," with perpetual succession, and full power to contract and be contracted with, sue and be sued; and to acquire by purchase, deeds of conveyance, lease, or other lawful mode, any real or personal property which the board of directors may deem advisable in the course of the business of the company, and the same, or any part thereof, to sell, convey, lease, or otherwise dispose of; and with full power of mining, developing; and producing coal, iron, salt, petroleum, or coal, oil, lead, and other minerals, &c., and of manufacturing, marketing, and trading in the same, with all incidental powers pertaining to said business, and generally to do and perform for the well-being of said company whatsoever shall lawfully pertain to such corporate bodies; and may have and use a corporate seal.

Capital stock.

§ 2. The capital stock of said company shall not exceed two hundred and fifty thousand dollars at the organization thereof, but may thereafter, by order of the board of directors, be increased to five hundred thousand dollars; and the capital stock shall be divided into shares of twenty-five dollars each.

When to organize.

§ 3. That the above named corporators, or such of them as shall act, shall have power to organize said company, and for that purpose shall meet in the county of Campbell,

in this State, and form themselves into a board of directors for the first year, and until their successors are elected and qualified; and may appoint a president of the board, and a secretary and treasurer; that after the organization of the company as above provided, the board of directors shall have power to dispose of part or all of the capital stock of the company, on such terms, in such manner, and under such rules and regulations, as the board, from time to time, may adopt, not inconsistent with the constitution or laws of this State or of the United States.

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Officers to be appointed.

May dispose of capital stock.

§ 4. The shares of stock shall be transferable; and the board may make such rules and regulations in regard thereto as they may determine upon, and may, from time to time, make all such rules, regulations, and by-laws as they may deem necessary and proper for the good government of the company, its officers, agents, and affairs.

Stock transferable, &c.

§ 5. Elections for directors shall be held at such time and place as the board shall appoint; the said directors shall hold their offices for one year and until their successors are duly elected and qualified; each board shall appoint one of their members president, and in his absence the board may appoint a president *pro tem.*; the first or any subsequent board of directors may, from time to time, borrow money for the use of the company, not exceeding the capital stock of the company, and at a rate of interest not exceeding ten per cent. per annum, and may issue the bonds or notes of the company therefor in sums not less than fifty dollars, and may mortgage or pledge any of the property or assets of the company therefor; to issue bonds with or without coupons, and sell the same at any rate of discount that shall be found desirable, and which may be convertible in whole or in part thereof into stock of the company, and the capital stock shall be increased accordingly; but in no manner or respect shall said company engage in the business of banking; a majority of the board shall constitute a quorum to transact business; it shall be the duty of the board to appoint a secretary and treasurer, and require of them bonds with good security for the faithful discharge of their respective duties; and may also employ all such other agents and officers as they may deem necessary, and discharge them at pleasure, and may fill any vacancies occurring in the board.

Elections, term of office, &c.

President.

May borrow money.

Officers to be appointed.

§ 6. This act shall take effect from its passage.

Approved June 2, 1865.

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CHAPTER 1672.

AN ACT to incorporate the "Star Oil and Mining Company."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That J. H. Lindenberger, E. D. Tyler, George C. Hunter, Geo. W. Wicks, and Robert Skene, of the city of Louisville, Kentucky, and their successors and assigns, are hereby created a body-politic and corporate, by the name of the Star Oil and Mining Company, and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places, as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this Commonwealth or of the United States.

May acquire
real estate.

§ 2. That this company shall have power to purchase and hold such estate in Kentucky and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products and deposits in the earth; to extract, take out, develop, smelt, refine, reduce, manufacture, and prepare for market, any or all of said minerals, products, or deposits, and to transport and sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property, deemed necessary or proper in the carrying on said business or any part thereof; to sell, convey, transfer, or assign all or any part or interest in any of said estate, real or personal, corporeal or incorporeal; and to exercise any necessary and proper power to carry out the express powers herein granted; but nothing herein contained shall be construed as granting to the said company any banking powers.

Capital stock.

§ 3. The capital stock of said company shall not exceed three million dollars, to be divided into shares of five dollars each, which shall be personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company; and the said persons, and their associates and successors, named in the first section of this act, shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment, and the grounds of forfeiture of stock subscribed for and not paid in as required; and when not less than one hundred and fifty thousand dollars are subscribed, and

First board
of directors.

May open
books.

When may
operations.

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such portion thereof paid in as the said directors shall require to be paid cash, the company may proceed to business; and the board, or a majority of them, shall organize by electing one of their number to be president of the company, and to preside at meetings of the board.

§ 4. The said president and directors shall provide, by the by-laws, for the annual election, by the stockholders, of a board of not less than five nor more than nine directors, who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in the by-laws.

Annual elections.

President.

Vacancies.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings, and must be voted by the holder in person or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not own at least five shares of the said capital stock.

How stock voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all the necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and security of such of its officers, and in such amount and penalty, as it may deem proper, the better to secure the faithful discharge of their duties.

Officers to be appointed.

§ 7. And the said company, from time to time, as it may see proper, make, declare, and pay dividends of profits, and distribute its net receipts and the proceeds of sales amongst the stockholders *pro rata*, according to the amount held by each.

May declare dividends.

§ 8. This act to take effect from its passage.

Approved June 2, 1865.

CHAPTER 1673.

AN ACT to incorporate the Eureka Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That H. Burkhardt, Wm. Skene, Robert Atwood, J. B. Wilder, and J. H. Lindenberger, of the city of Louisville, Kentucky, and their successors and assigns, are hereby created a body-politic and corporate, by the name of the "Eureka Oil and Mining Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and de-

Corporators' names, and corporate powers.

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fend, in all courts and places, as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this Commonwealth.

May acquire
lands.

§ 2. That this company shall have power to purchase and hold such estate in Kentucky and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products and deposits in the earth; to extract, take out, develop, smelt, refine, reduce, manufacture, and prepare for market, any or all of said minerals, products, or deposits, and to transport and sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property, deemed necessary or proper in the carrying on said business or any part thereof; to sell, convey, transfer, or assign all or any part or interest in any of said estate, real or personal, corporeal or incorporeal, and to exercise any necessary and proper powers to carry out the express powers herein granted; but nothing herein contained shall be construed as granting to the said company any banking powers.

Capital stock.

First board of
directors.

May open
books.

When to com-
mence oper-
ations.

§ 3. The capital stock of said company shall not exceed two million dollars, to be divided into shares of five dollars each, which shares shall be personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company; and the said persons, and their associates and successors, named in the first section of this act, shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment and the grounds of forfeiture of stock subscribed for and not paid in as required; and when not less than one hundred thousand dollars are subscribed, and such portion thereof paid in as the said directors shall require to be paid in cash, the company may proceed to business; and the board, or a majority of them, shall organize by electing one of their number to be president of the company, and to preside at meetings of the board.

Annual elec-
tions.

President.

§ 4. The said president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than five nor more than nine directors, who, when elected in each year, shall choose one of their number as president, as aforesaid; and the president and directors shall hold their offices until their successors are

elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in the by-laws.

1865.

Vacancies.

§ 5. Each share of stock shall entitle the holder to one vote at the elections of directors or in stockholders' meetings, and must be voted by the holder in person or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not own at least five shares of the said capital stock.

How stock voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all the necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and security of such of its officers, and in such amount and penalty, as it may deem proper, the better to secure the faithful discharge of their duties.

Officers to be appointed.

§ 7. And the said company, from time to time, as it may see proper, make, declare, and pay dividends of profits, and distribute its net receipts and the proceeds of sales amongst the stockholders *pro rata*, according to the amount held by each.

May declare dividends.

§ 8. This act shall take effect from and after its passage.

Approved June 2, 1865.

CHAPTER 1674.

AN ACT to incorporate the Cash Creek Oil and Coal Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That N. L. Cooke, James Collins, H. R. Warfield, and their associates, successors, and assigns, be, and they are hereby, constituted a body-politic and corporate, by the name, style, and title of the "Cash Creek Oil and Coal Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth or of the United States.

§ 2. That the capital stock of said company shall be one hundred thousand dollars, with power to increase the same to any sum not exceeding five hundred thousand dollars, to be subscribed for in shares of fifty dollars each, payable in such installments as the company, when organized, may direct. That the said company shall have the power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business; to engage in mining of coal, and sale of same, as well at home as abroad, and

1865.

in the boring for oil and other products of the lands now owned or hereafter owned by them in the counties of Henderson and McLean, or elsewhere in the Green and Cumberland rivers region of country; to purchase, build, and own boats of all kinds, houses, and other necessary implements and machinery for carrying on their business; to hold such mining and manufacturing rights as they may deem necessary for the successful prosecution of their business.

§ 3. That said N. L. Cooke, James Collins, and Henry R. Warfield, with their associates, shall have power to organize said company by the appointment of a president and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given. When thus organized, they and their successors shall exercise the power herein granted said company for the control and management of its business. That said company shall have and possess and enjoy all the rights and privileges and immunities heretofore granted or hereafter conferred by law on any other company in this State chartered for similar purposes; but this act shall not be so construed as to infringe on the rights and privileges of any other coal and oil boring company.

§ 4. That this act shall take effect from and after its passage.

Approved June 2, 1865.

CHAPTER 1675.

AN ACT to incorporate the *Ætna Oil and Mining Company*.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That Geo. W. Wicks, Geo. C. Hunter, A. Brandeis, J. H. Lindenberger, R. A. Robinson, C. S. Tucker, and Arthur Peter, of the city of Louisville, Kentucky, are hereby created a body-politic and corporate, by the name of the "*Ætna Oil and Mining Company*," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company, and the conduct of its business, not inconsistent with the constitution and laws of this Commonwealth.

May acquire
lands.

§ 2. That this company shall have power to purchase and hold such estate, in Kentucky and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or

expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products, and deposits in the earth; to extract, take out, develop, smelt, refine, reduce, manufacture, and prepare for market any or all of said minerals, products, or deposits, and to transport and sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property deemed necessary or proper in the carrying on said business, or any part thereof; to sell, convey, transfer, or assign all or any part or interest in any of said estate, real or personal, corporeal or incorporeal; and to exercise any necessary and proper powers to carry out the express powers herein granted; but nothing herein contained shall be construed as granting to the said company any banking powers.

1865.
Business of
corporation.

§ 3. The capital stock of said company shall not exceed four million dollars, to be divided into shares of ten dollars each; which shares shall be personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company; and the said persons, and their associates and successors, named in the first section of this act, shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment and the grounds of forfeiture of stock subscribed for and not paid in as required; and when not less than two hundred and fifty thousand dollars are subscribed, and such portion thereof paid in as the said directors shall require to be paid cash, the company may proceed to business; and the board, or a majority of them, shall organize by electing one of their number to be president of the company and to preside at meetings of the board.

Capital stock.

First board of
directors.

May open
books.

When to com-
mence oper-
ations.

§ 4. The said president and directors shall provide by the by-laws for the annual elections, by the stockholders, of a board of not less than seven nor more than eleven directors, who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in the by-laws.

Annual elec-
tion.

President.

Vacancies.

§ 5. Each share of stock shall entitle the holder to one vote at the elections of directors or in stockholders' meetings, and must be voted by the holder in person or by virtue of a written proxy signed by the holder; and no

How stock
voted.

1865.

Officers to be
appointed.

person shall be voted for or hold the office of director, who does not own at least five shares of the said capital stock.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all the necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and security of such of its officers, and in such amount and penalty, as it may deem proper, the better to secure the faithful discharge of their duties.

May declare
dividends..

§ 7. And the said company may, from time to time, as it may see proper, make, declare, and pay dividends of profits, and distribute its net receipts and the proceeds of sales amongst the stockholders *pro rata*, according to the amount held by each.

§ 8. This act shall take effect from and after its passage.

Approved June 2, 1865.

CHAPTER 1676.

AN ACT to incorporate the Jennisee Island Petroleum, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That W. Talbott, W. B. Kinkead, and Geo. B. Kinkead, and their associates and successors, be, and they are hereby, created a body corporate and politic, by the name of the "Jennisee Island Petroleum, Mining, and Manufacturing Company," with all the powers and authority incident to corporators and corporations, for the purposes hereinafter mentioned; and with all the general and special powers, privileges, and immunities which have been and may be granted by this General Assembly to any corporations chartered for similar purposes.

May acquire
lands.

§ 2. The corporation is hereby authorized and empowered to purchase, sell, hold, and dispose of lands, in fee simple and by lease, for mining and boring for petroleum, and other oils and minerals, of whatsoever kind, and to manufacture, refine, transport, and vend the same.

Capital stock.

§ 3. The capital stock of the corporation shall not exceed five hundred thousand dollars, and shall be divided into shares of fifty dollars each share; which shares may be issued and transferred in such manner and upon such conditions, and under such rules of forfeiture for non-payment of calls and assessments, as the board of directors of such corporation may direct; and the liability of shareholders shall extend to and be limited by the amount of stock held by them respectively.

Who to con-
duct business.

§ 4. The affairs of said corporation shall be managed by three or more directors, one of whom shall be president,

1865.

First directors.

May make by-laws.

May open books.

Vacancies.

Right of way.

May build roads, &c.

Office where kept.

Officers to be appointed.

and all of whom shall be stockholders in said corporation. The first board of directors shall consist of W. Talbott, W. B. Kinkead, and George B. Kinkead, who shall continue in office for one year, or until their successors are elected and enter upon their duties. If any of the above named directors shall decline, or refuse to act, a majority of those remaining shall have power to fill such vacancy. They may adopt such by-laws and rules for the government of the corporation and management of its affairs as they may deem proper, not inconsistent with the constitution of the State and of the United States. The said corporators, or any of them, may open books for, and receive subscriptions to, the capital stock of said company hereby incorporated, at such times and places, upon such notice, and coupled with such conditions, as the board of directors may determine. The board of directors of such corporation may fill vacancies occasioned by death, resignation, or otherwise; they may make such call for the payment of stock as they may deem proper, and in event of non-payment, may forfeit the stock of the defaulting shareholder, or collect the same by suit, as they may elect; right of way is hereby granted to said corporation over any lands, and on and along any water courses within the State, with power and authority to condemn the same to their use in the same manner and subject to such restrictions as are and have been given to, and imposed upon, any corporation heretofore chartered by the General Assembly of Kentucky; and with power and authority to construct and operate over the right of way thus granted common and turnpike roads and railroads; and to build and maintain on and along such water courses, locks and dams, and other fixtures and appliances for slack water navigation, to and from and between the site or sites of their mines and oil wells, and the markets for the sale and storage of their products, and to and from and between such mines and oil wells and the reliably navigable waters within and bordering upon the State; with the right, power, and authority, when such roads, railroads, and improved navigation shall be used by any other party or parties for travel or traffic, to charge for such use such reasonable rates of toll for carriage as the board of directors may determine, not exceeding the rates permitted by law to be charged by other corporations specially chartered for, and authorized to furnish and perform similar facilities and services. The board of directors may keep their office or offices at such place or places as the interest of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such other officers as they may deem necessary, and fix their compensation, and by their by-laws

1865. regulate the mode of keeping their records, to insure a just exhibit and administration of their affairs

No banking powers.

§ 5. Nothing contained in this charter shall be construed as conferring banking privileges upon the corporation.

§ 6. This act to take effect from its passage.

Approved June 2, 1865.

CHAPTER 1677.

AN ACT to incorporate the Continental Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That J. F. Irvine, W. C. Hite, R. A. Robison, E. D. Tyler, and C. S. Tucker, of the city of Louisville, State of Kentucky, and their successors and assigns, are hereby created a body-politic and corporate, by the name of the "Continental Oil and Mining Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places, as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company, and the conduct of its business, not inconsistent with the constitution and laws of this Commonwealth.

May acquire lands.

Business of corporation.

§ 2. That this company shall have power to purchase and hold such estate in Kentucky and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products and deposits in the earth; to extract, take out, develop, smelt, refine, reduce, manufacture, and prepare for market, any or all of said minerals, products, or deposits; and to transport and sell the same in or out of this State; to buy, erect, or construct, all machinery, tools, fixtures, and personal property deemed necessary or proper in the carrying on said business, or any part thereof; to sell, convey, transfer, or assign, all or any part or interest in any of said estate, real or personal, corporeal or incorporeal, and to exercise any necessary and proper powers to carry out the express powers herein granted; but nothing herein contained shall be construed as granting to the said company any banking powers.

Capital stock.

§ 3. The capital stock of said company shall not exceed two million dollars, to be divided into shares of ten dollars each, which shares shall be deemed personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company; and the said persons, and

their associates and successors, named in the first section of this act, shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment and the grounds of forfeiture of stock subscribed for and not paid in as required; and when not less than one hundred thousand dollars are subscribed, and such portion thereof paid in as the said directors shall require to be paid cash, the company may proceed to business; and the board, or a majority of them, shall organize by electing one of their number to be president of the company, and to preside at meetings of the board.

1865.

First board of directors.

May open books.

When may commence business.

President.

§ 4. The said president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than five or more than nine directors, who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in the by-laws.

Annual elections, term of office, &c.

§ 5. Each share of stock shall entitle the holder to one vote at the elections of directors or in stockholders' meetings, and must be voted by the holder in person, or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not own at least five shares of the said capital stock.

How stock voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all the necessary secretaries, treasurers, cashiers, and other agents, employes, and other operatives, and for requiring bond and security of such of its officers, and in such amount and penalty, as it may deem proper, the better to secure the faithful discharge of their duties.

Officers to be appointed.

§ 7. And the said company may, from time to time, as it may see proper, make, declare, and pay dividends of profits and distribute its net receipts and the proceeds of sales amongst the stockholders *pro rata*, according to the amount held by each.

May declare dividends.

§ 8. This act shall take effect from and after its passage.

Approved June 2, 1865.

1865.

CHAPTER 1678.

AN ACT to incorporate the Southeast Kentucky Petroleum, Coal, Mining, and Transportation Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That John B. Earle, H. M. Van Arman, and Thos. E. Young, and their associates and successors, be, and are hereby, created a body-corporate and politic, by the name of the Southeast Kentucky Petroleum, Coal, Mining, and Transportation Company, with all the powers and authority incident to corporators and corporations, for the purposes hereinafter mentioned; and with all the general and special powers, privileges, and immunities, which have been, and may be, granted by this General Assembly to any corporation or corporations chartered for similar purposes.

May acquire lands.

§ 2. The corporation is hereby authorized and empowered to purchase, sell, hold, and dispose of lands, in fee simple and by lease, for mining for coal or other minerals, or boring or mining for petroleum or other oil, of whatever kind, and to refine, transport, and vend the same.

Capital stock.

§ 3. The capital stock of the corporation shall be divided into shares of not less than five nor more than five hundred dollars each; which shares may be issued and transferred in such manner, and upon such conditions, and under such rules of forfeiture for non-payment of calls and assessments, as the board of directors of such corporation may direct; and the liability of shareholders shall extend to, and be limited by, the amount of stock held by them respectively.

Who to manage affairs of corporation. First directors, and term of office.

§ 4. The affairs of the said corporation shall be managed by three or more directors, one of whom shall be president, and all of whom shall be stockholders; the first board of directors shall consist of John B. Earle, H. M. Van Arman, and the third to be chosen by the two named, and they shall continue in office for one year, or until their successors are elected by a majority in interest of the stockholders of said corporation, which corporation may exist in perpetuity; and the directors thus elected, and their successors in perpetual succession, shall continue in office for one year, or until their successors are elected and have entered upon their duties. If any of the above named directors shall decline or refuse to act, a majority of those remaining shall have power to fill such vacancy; they may adopt such by-laws and rules for the government of the corporation and management of its affairs as they may deem proper, not inconsistent with the constitution of the State and of the United States. The said corporators, or any of

May make by-laws.

May open books.

them, may open books for and receive subscriptions to the capital stock of said company hereby incorporated, at

1865.

such times and places, upon such notice, and coupled with such conditions, as the board of directors of such corporation may determine; the board of directors of such corporation may fill vacancies occasioned by death, resignation, or otherwise; they may make such call for the payment of stock as they may deem proper, and, in event of non-payment, may forfeit the stock of the defaulting shareholder or collect the same by suit, as they may elect; right of way is hereby granted to said corporation over any lands and on and along any water courses within the State, with power and authority to condemn the same to their use, in the same manner and subject to such restrictions as are and have been given to and imposed upon any corporation heretofore chartered by the General Assembly of Kentucky; and with power and authority to construct and operate over the right of way thus granted common and turnpike roads and railroads; and to build and maintain on and along such water courses locks and dams, and other fixtures and appliances for slack water navigation to and from and between the site or sites of their mines and oil wells and the markets for the sale and storage of their products, and to and from and between such mines or oil wells and the reliably navigable waters within and bordering upon the State; with the right, power, and authority, when such roads, railroads, and improved navigation shall be used by any other party or parties, for travel or traffic, to charge for such use such reasonable rates of toll or carriage as the board of directors may determine, not exceeding the rates permitted by law to be charged by other corporations specially chartered for and authorized to furnish and perform similar facilities and services. The board of directors may keep their office or offices at such place or places as the interest of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such other officers as they may deem necessary, and fix their compensation; and by their by-laws regulate the mode of keeping their records to insure a just exhibit and administration of their affairs.

Calls on stock.

Right of way.

May build roads.

Where to keep office.

Officers to be appointed.

§ 5. Nothing contained in this charter shall be construed as conferring banking privileges upon the corporation.

§ 6. This act to take effect from its passage.

Approved June 2, 1865.

1865.

CHAPTER 1679.

AN ACT to incorporate the Republican Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Arthur Peter, J. H. Lindenger, J. B. Wilder, R. A. Robinson, and Wm. Skene, of the city of Louisville, Kentucky, and their successors and assigns, are hereby created a body-politic and corporate, by the name of the "Republican Oil and Mining Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places, as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company and the conduct of its business, not inconsistent with the constitution and laws of this Commonwealth.

May acquire lands.

Business of corporation.

§ 2. That this company shall have power to purchase and hold such estate, in Kentucky and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products, and deposits in the earth; to extract, take out, develop, smelt, refine, reduce, manufacture, and prepare for market any or all of said minerals, products, or deposits, and to transport and sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property deemed necessary or proper in the carrying on said business, or any part thereof; to sell, convey, transfer, or assign all or any part or interest in any of said estate, real or personal, corporeal or incorporeal; and to exercise any necessary or proper powers to carry out the express powers herein granted; but nothing herein contained shall be construed as granting to the said company any banking powers.

Capital stock.

First directors, term of office, &c.

§ 3. The capital stock of said company shall not exceed one million five hundred thousand dollars, to be divided into shares of ten dollars each; which shares shall be personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company; and the said persons, and their associates and successors, named in the first section of this act, shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment and the grounds of forfeiture of stock subscribed for and not paid in as required; and when not less than seventy-five thousand dollars

When to commence business

are subscribed, and such portion thereof paid in as the said directors shall require to be paid in cash, the company may proceed to business; and the board, or a majority of them, shall organize by electing one of their number president of the company and to preside at meetings of the board.

1865.

President.

§ 4. The said president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than five nor more than nine directors, who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in the by-laws.

Annual elections.

§ 5. Each share of stock shall entitle the holder to one vote at the elections of directors or in stockholders' meetings, and must be voted by the holder in person, or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director who does not own at least five shares of the said capital stock.

How stock voted.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and security of such of its officers, and in such amount and penalty, as it may deem proper, the better to secure the faithful discharge of their duties.

Officers to be appointed.

§ 7. And the said company, from time to time, as it may see proper, make, declare, and pay dividends of profits, and distribute its net receipts and the proceeds of sales amongst the stockholders *pro rata*, according to the amount held by each.

May declare dividends.

§ 8. This act shall take effect from and after its passage.

Approved June 2, 1865.

CHAPTER 1680.

AN ACT to incorporate the Clover Valley Oil, Coal, Salt, Iron, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Edward R. Weir, jr., Edward R. Weir, sr., F. B. Hancock, and John E. Reno, or any three of them, their associates, successors, or assigns, be, and they are hereby,

1865.

constituted and created a body-corporate, under the name and style of "The Clover Valley Oil, Coal, Salt, Iron, and Manufacturing Company," for and by that name to have perpetual succession, for the purpose of boring for oil, manufacturing and refining oil, mining coal and iron ores, boring for salt water, and manufacturing salt and iron, and for transacting all the usual and necessary business of companies in mining, manufacturing, and transporting to market and selling of oil, coal, ores, iron, salt, and other products; and the said corporation, by the said name, is hereby declared and made capable in law to plead and be impleaded; to have and use a common seal, and the same to alter at pleasure; to make rules and by-laws for the management of said corporation, not inconsistent with the laws of this State; and generally to do and execute for the benefit of said company whatsoever shall lawfully pertain to such bodies-politic: *Provided*, That nothing contained in this act shall be so construed as to give or confer upon said company any banking privileges.

§ 2. That all the rights and privileges granted the Cloverport Oil Company by act approved December 20th, 1861, be granted and conferred upon the Clover Valley Oil, Coal, Salt, Iron, and Manufacturing Company; and that said act, with the exception of the 1st, 5th, and 9th sections, is hereby made a part of the charter of the Clover Valley Oil, Coal, Salt, Iron, and Manufacturing Company.

§ 3. This act to take effect from its passage.

Approved June 2, 1865.

CHAPTER 1681.

AN ACT to incorporate the Lebanon Milling and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That Samuel T. Ray, E. A. Graves, James M. Miller, W. B. England, C. A. Porter, Robert Marshall, A. F. Gowdy, James G. Phillips, jr., Leonard Spalding, R. C. Harris, D. W. Phillips, David L. Graves, Benj. F. Mattingly, and John G. Mattingly, be, and they and their successors are hereby, created a body corporate, under the name of the "Lebanon Milling and Manufacturing Company," with all the powers, rights, and privileges pertaining to bodies corporate in the State of Kentucky; to sue and be sued; to contract and be contracted with; to have a common seal; to acquire, in fee simple or by lease, real estate in Marion county not exceeding in value \$25,000; to acquire and hold any kind of personal property necessary and proper in and about the carrying on the business of grinding grain, or sawing and dressing lumber, or of man-

1865.

ufacturing lumber into furniture, farming implements, doors, sash, or blinds, or the cording, spinning, and weaving of cotton and wool, and weaving cotton and woollen fabrics, in either or all of which it shall be lawful for said company to engage.

§ 2. The capital stock of said company shall consist of \$100,000; but said company may organize when \$50,000 thereof shall have been subscribed by solvent persons; shares in the stock of said company shall be \$100 each; and so soon as \$50,000 shall have been subscribed as aforesaid, the corporators named herein, or any three of them, shall call a meeting of said subscribers for the purpose of electing from among themselves five directors, who shall from their number choose a president; and the fiscal and other affairs of said company shall be under the control and management of said board of directors and their successors in office; they shall remain in office for the space of two years, and until their successors are appointed; said board may fill vacancies in their number caused by death, removal from the county, or resignation, until another regular election of the subscribers; they may appoint a treasurer, who shall keep accurate and faithful accounts of all moneys received or paid out by him; and they shall also appoint a secretary, who shall keep faithful records of the transactions of said board; they may provide suitable by-laws for the government of said officers, and also their removal in case of necessity; and, further, provide by such by-laws for the proper management of the business of said company; they shall cause a yearly statement to be made out and spread upon the books of the company, showing the receipts of the treasury, and the article and items of expenditure, and the actual financial condition of said company as to means on hand, and profits and losses; and to declare dividends of said profits when, in their judgment, it is most conducive to the interest of said company to do so; they shall have power to sell and convey, to rent or lease, any portion of the property of said company as they may deem best, and to appoint agents and managers over the same, and make provision for the compensation of such.

Capital stock, and when may organize.]

Term of office, vacancies, &c.

Treasurer and Secretary to be appointed.

May make by-laws.

Yearly statement to be made.

Approved June 2, 1865.

1865.

CHAPTER 1682.

AN ACT to incorporate the Licking and Cincinnati Mining and Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Thos. C. Ware, Milton Sayler, A. H. Ward, and Jno. A. Kirkpatric, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name of the "Licking and Cincinnati Mining and Petroleum Company," with all the powers and authority incident to corporators and corporations, for the purposes hereinafter mentioned; and with all the general and special powers, privileges, and immunities, which have been, or may be, granted by this General Assembly to any corporation chartered for similar purposes.

§ 2. The corporation is hereby authorized and empowered to purchase, sell, hold, and dispose of lands, in fee simple and by lease, for mining and boring for petroleum and other oils and minerals of whatsoever kind, and to manufacture, refine, transport, and vend the same.

§ 3. The capital stock of the corporation shall not exceed one million of dollars, to be divided into shares of not less than five nor more than five hundred dollars; each of which shares may be issued and transferred in such manner, and upon such conditions, and under such rules of forfeiture for non-payment of calls of assessments, as the board of directors of such corporation may direct; and the liability of shareholders shall extend to, and be limited by, the amount of stock held by them respectively.

§ 4. The affairs of the said corporation shall be managed by three or more directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; the first board of directors shall consist of Thos. C. Ware, Milton Sayler, A. H. Ward, and John A. Kirkpatric, who shall continue in office for one year, or until their successors are elected by a majority in interest of the stockholders in said corporation, which said corporation may exist in perpetuity; and the directors thus elected, and their successors in perpetual succession, shall continue in office for one year, and until their successors are elected and enter upon their duties. If any of the above named directors shall decline or refuse to act, a majority of those remaining shall have power to fill such vacancy; they may adopt such by-laws and rules for the government of the corporation and management of its affairs as they may deem proper, not inconsistent with the constitution of the State or the United States. The said corporators, or any of them, may open books for and receive subscriptions to the capital stock of said company hereby incorporated, at such times and places, and upon such notice, and coupled

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with such conditions, as the board of directors may determine. The board of directors of said corporation may fill vacancies occasioned by death, resignation, or otherwise; they may make such calls for the payment of stock as they may deem proper, and, in the event of non-payment, may forfeit the stock of the defaulting shareholder or collect the same by suit, as they may elect; right of way is hereby granted to said corporation over any lands and on and along any water courses within the State, with power and authority to condemn the same to their use, in the same manner and subject to such restrictions as are and have been given and imposed upon any corporation heretofore chartered by the General Assembly of Kentucky; and with power and authority to construct and operate over the right of way thus granted common and turnpike roads and railroads; and to build and maintain on and along such water courses locks and dams, and other fixtures and appliances for slack water navigation to and from and between the site or sites of their mines and oil wells and the markets for the sale and storage of their products, and to and from and between such mines and oil wells and the reliably navigable waters within and bordering upon the State; with the right, power, and authority, when such roads, railroads, and improved navigation shall be used by any other party or parties, for travel or traffic, to charge for such use such reasonable rates of toll or carriage as the board of directors may determine, not exceeding the rates permitted by law to be charged by other corporations specially chartered for and authorized to furnish and perform similar facilities and services. The board of directors may keep their office or offices at such place or places as the interest of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such other officers as they shall deem necessary, and fix their compensation; and by their by-laws regulate the mode of keeping their records to insure a just exhibit and administration of their affairs.

§ 5. Nothing contained in this charter shall be construed as conferring banking privileges upon this corporation.

§ 6. This act to take effect from its passage.

Approved June 2, 1865.

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CHAPTER 1683.

AN ACT to incorporate the New Era Petroleum, Coal, Oil, Refining, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

Corporators' names, and corporate powers.

§ 1. That L. C. Woellner, A. M. Woellner, Wm. H. Lape, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name, style, and title of the "New Era Petroleum, Coal, Oil, Refining, Mining, and Manufacturing Company," and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, sue and be sued, to plead and be impleaded, in the Commonwealth and elsewhere, in all courts of law and equity; to have a common seal; to ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law of Kentucky or of the United States. The capital stock of said company shall be three hundred thousand dollars, in shares of fifty dollars each, and may be increased or diminished fifty per cent. by a vote of the majority of the stockholders at any time, upon a notice of fifteen days. Said company may, however, commence operations as soon as three thousand dollars of said capital stock shall be subscribed and fifty per cent thereof paid in; and the remaining portion of said capital stock may be issued and sold by the board of said directors of said company at such time as may seem to them best.

Capital stock.

May acquire real estate.

Business of corporation.

§ 2. The said company shall have the power to purchase, lease, and negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: To explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and all minerals, and in the manufacture of the same, and all other products of lands now owned by them, or either of them, or which may hereafter be owned by them or either of them; to purchase or build any kind of boats and other improvements; to erect buildings for the transaction of their business; to hold such mining rights, and rights of way and real estate, as they may deem necessary for the successful prosecution of their business, and the same, or any part thereof, to sell or otherwise to dispose of, as the interest of said company may require.

Who to manage affairs of corporation.

Officers to be appointed.

§ 3. For conducting the affairs of said company, a board of five directors shall be chosen; said board shall choose of its number a president for said company, and said board shall serve one year or longer, as may seem best by the stockholders of said company. The president and directors shall have power to appoint all officers, agents, and

laborers under them, and to remove the same at pleasure. In all elections each share of stock shall entitle the holder to one vote; stockholders may vote by proxy; in the absence of the president, the board may appoint a president *pro tem*.

1865.

§ 4. Books may be opened for the subscription of stock at any time and place, and closed at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

May open books.

§ 5. That it shall be lawful for the president and the directors of said company, from time to time, and at all times, to borrow money, by loan or otherwise, as by them may seem expedient, for the use of said company, and to pledge or mortgage all or any part of the estates, improvements, or privileges and assets of said company for the repayment of said sums of money so borrowed, at such time or times as may be agreed upon.

May borrow money.

§ 6. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

Stock may be forfeited.

§ 7. Said company shall have, possess, and enjoy all rights, powers, and privileges and immunities conferred by law in this State upon any other company chartered for similar purposes.

Privileges of corporation.

§ 8. This act shall take effect upon its passage.

Approved June 2, 1865.

CHAPTER 1684.

AN ACT to incorporate the Excelsior and Eureka Petroleum, Oil, Salt, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That L. H. Noble, E. Burns, C. Beeler, D. S. Maxwell, and J. R. Thomas, and their associates and successors, are hereby created a body-corporate and politic, by the name of the Excelsior and Eureka Petroleum, Oil, Salt, Mining, and Manufacturing Company, and by such name and style they shall have perpetual succession, with all the powers and authority incident to and heretofore granted to corporations for similar purposes in this Commonwealth.

Corporators' names, and corporate powers.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, and minerals, and to refine and vend the same.

May acquire lands.

§ 3. The capital stock of said company shall be one million of dollars, and shall be divided into shares of not less

Capital stock.

1865.

than ten nor more than one hundred dollars, and may be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct; and the capital stock may be increased by the board of directors if deemed necessary.

Who to manage affairs.
First board of directors.

§ 4. The affairs of said company shall be managed by five directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; the first board of directors shall consist of L. H. Noble, E. Burns, C. Beeler, D. S. Maxwell, and J. R. Thomas, who shall continue in office until their successors are elected by a majority in interest of the stockholders in said corporation; and the board of directors chosen by the stockholders shall continue in office for one year, or until their successors are elected and qualified. If any of the above named directors shall decline or refuse to serve, a majority of the others shall fill the vacancy by appointing some one else; they may adopt such by-laws and rules for the government of the corporation and the management of its affairs and business as they may deem proper, not inconsistent with the constitution or laws of this State or of the United States. The said corporation, or any of them, may open books of subscription and receive subscriptions to the capital stock of said company herein incorporated; and books of subscription may be opened and subscriptions received, at such times and places, and upon such notices thereof, as any three of said incorporators may deem right and proper.

May make by-laws.

May open books.

When new board of directors to be elected.

Office where kept.
Officers to be appointed.

§ 5. Whenever fifty thousand dollars of the stock subscribed is paid in, notice of the time and place of election of a new board of directors shall be given, who shall hold office for one year, and as provided herein. The board of directors of said corporation may fill all vacancies occasioned by death or resignation or otherwise, and may make such calls of payment of stock as they may deem proper, not to exceed twenty per cent. for every thirty days. They may keep their office at such place or places as they deem to the interest of the corporation; they may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as they may deem proper, and by their by-laws regulate and fix the method of keeping their records as they may deem proper.

§ 6. This act to take effect from its passage.

Approved June 2, 1865.

CHAPTER 1695.

1865.

AN ACT to incorporate the Columbia Petroleum, Oil, Manufacturing, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That George Stealey, J. W. Knight, George Meadows, and Joseph Mitchell, and their associates, successors, and assigns, be, and they are hereby, constituted a body-corporate and politic, by the name and style of the "Columbia Petroleum, Oil, Manufacturing, and Mining Company," and by that name and style shall have perpetual succession, with power to contract and be contracted with, and sue and be sued, in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals; and in the manufacturing, refining, preparing for market, transporting, and selling oil and salt, and other products of said business, and of the lands now owned or which may hereafter be owned by them in this State, and of selling or assigning the personal or real estate or stock of said company, as they may deem advisable; to hold their meetings and transport and sell their oil, salt, and other products, within or without the State; and to have all the powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

Corporators' names, and corporate powers.

§ 2. That said corporators may organize said company by the appointment of a president, and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given; and when thus organized, the said company shall have power to make such by-laws, rules, and regulations as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the constitution and laws of the United States or this State.

Organization of company.

May make by-laws.

§ 3. The capital stock of said company shall be \$500,000, and said company shall have power to increase the same, from time to time, not exceeding \$1,000,000.

Capital stock.

§ 4. The said company may buy, lease, or rent any suitable lands, mines, oil, coal, iron, and salt right lands and privileges, rights of way, and other property necessary for business, and may dispose of the same or any portion of it by sale or otherwise; they may receive real estate, leaseholds, mining and boring rights, and rights of way, in payment of such part of the subscription as they may deem advisable; said company may erect and build on any of their lands such buildings, engines, machinery, and other fixtures, as may be deemed convenient and proper

May acquire lands.

May erect buildings, &c.

1865. for carrying on and conducting the business of said corporation.

§ 5. That this act shall take effect from and after its passage; and the General Assembly reserves the right to alter, amend, or repeal this charter; and nothing in it shall be so construed as to confer banking privileges upon the corporation.

Approved June 2, 1865.

CHAPTER 1686.

AN ACT to empower the City of Newport, in Campbell county, to borrow money and issue bonds, &c.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in addition to the powers conferred upon the city of Newport, the city council of said city is hereby authorized and empowered to borrow, from time to time, for the use of the city, not to exceed sixty thousand dollars in all under this act, payable in such installments, and at such periods of time, in not less than twenty years nor more than forty years from the date of each loan, as the city council may see proper, and at a rate of interest not exceeding eight per cent. per annum, payable annually or semi-annually, as the city council may elect; and may issue the bonds of the city for the money so borrowed, with or without coupons for the interest; and said bonds shall not be issued or sold by the city at less than par; and it shall be the duty of the city council to apply the proceeds of said loans to building and improvement of the wharves and landings of the city, to sewerage, city buildings, and appurtenances; and, upon the issuing of any bonds under this act, the city council shall make provision for the payment of the interest and ultimate redemption thereof by means of a sinking fund or otherwise.

§ 2. That section fourteenth (14th) of an act, entitled "An act amendatory of the several acts relating to the town of Newport, in Campbell county," approved February 24, 1834, be, and the same is hereby, repealed.

§ 3. This act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1691.

1865.

AN ACT for the benefit of the City of Louisville.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the general council of the city of Louisville shall have, and are invested with the power and authority, from time to time, by ordinance, to purchase or lease and improve, for the use, benefit, and in the name of said city, any additional or other ground within said city, and fronting and near to the Ohio river, as shall be considered necessary for wharves, or places for landing of water crafts of any description, or lumber or other articles brought to the said city by water.

§ 2. The ordinance authorizing or directing the purchase of the ground named in the first section, shall not be valid unless it shall be passed by a majority of the votes of the members elect in each board of the general council, and the yeas and nays taken and recorded in each board on the record of their proceedings.

§ 3. The said general council, by a majority of votes of each board, may, as provided in the second section, provide by ordinance the necessary funds or money to pay for the ground named in the first section, by issuing the bonds of the city, payable at such time or times, place or places, and such sums, with or without coupons thereto attached, as shall be named in said ordinance; and shall have power and authority to dispose of said bonds to pay for said ground, or to raise the necessary sums of money to do so, or may cause to be executed the bonds of the city to the vendor or vendors of said land.

§ 4. The said bonds shall be executed by the mayor, and countersigned or witnessed by the auditor of said city, and the auditor shall keep a record of the same in a record book to be provided for that purpose.

§ 5. That so much of the city charter, or any amendment thereto, as requires the ordinances herein provided for to be submitted to a vote of the qualified voters of said city, or that comes within the purview of this act, is repealed, so far as the provisions of this act are concerned, but not otherwise.

§ 6. That the purchase money for ground herein authorized to be purchased, and interest thereon, and the expense or outlays in improving said property for wharfing purposes, may be charged on the general revenues of said city, or the general council may, by ordinance, make said bonds and interest and costs of improving said ground for wharfing purposes, a charge on, and to be paid out of, the sinking fund of said city.

§ 7. This act shall take effect from its passage.

Approved June 3, 1865.

1865.

CHAPTER 1694.

AN ACT for the benefit of Wesley Phelps, Curator of the estate of R. F. Samuels, deceased.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

That Wesley Phelps, curator of the estate of Robert F. Samuels, deceased, late clerk of the Bullitt circuit and county courts, shall have the further time of two years from and after the passage of this act, to list and collect the unpaid fee bills due and owing to said estate, and in so doing shall be amenable to the laws now in force in regard to the issual and collection of illegal fee bills.

Approved June 3, 1865.

CHAPTER 1695.

AN ACT for the benefit of the Circuit Court Clerk's Office in Whitley county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the Secretary of State be, and he is hereby, authorized to furnish such public books to the circuit court clerk's office, in Whitley county, as have been destroyed by the rebels. The clerk of the Whitley circuit court is required to furnish a list of such books as have been destroyed, and the Secretary of State will supply such deficiency with the next distribution of public books.

§ 2. This act to be in force from its passage.

Approved June 3, 1865.

CHAPTER 1696.

AN ACT to amend the charter of the Airdrie Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

That the charter of the Airdrie Petroleum Company be so amended as to permit said company to mine, smelt, and manufacture iron, and vend the same in any of the markets of the country, or ship the same to foreign ports for a market.

Approved June 3, 1865.

CHAPTER 1699.

1865.

AN ACT to repeal an act, entitled "An act to define the boundary line between Carter and Greenup Counties West of Tygert's Creek," approved February 22, 1865.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the act, entitled "An act to define the boundary line between Carter and Greenup counties west of Tygert's creek," approved February 22, 1865, be, and the same is hereby, repealed, and the said boundary of said county shall be the same as before the passage of the act hereby repealed.

§ 2. This act shall be in force from its passage.

Approved, June 3, 1865.

CHAPTER 1701.

AN ACT to amend an act authorizing the County Court of Gallatin County to levy a tax to raise a Recruiting Fund to avoid a draft in said County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section first of said act be, and is hereby, so amended that the county court of Gallatin county, a majority of the justices in commission in said county being present and concurring therein, shall, at some regular or called term of the county court of said county, levy a tax to raise a fund, not exceeding twenty thousand dollars, or a sum sufficient to reimburse the said military committee in the amount raised and disbursed by them, as provided in said act.

Approved June 3, 1865.

CHAPTER 1702.

AN ACT to incorporate the Propylon Mining and Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That N. S. Knight, J. G. Carlisle, and George S. Knight, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the Propylon Mining and Petroleum Company, with perpetual succession and power, under the said name and style, to contract and be contracted with; sue and be sued, answer and be answered, plead and be impleaded, in all courts and places, as a natural person; and to make and have a common seal, and break or alter the same at pleasure; and said company shall have the right to institute and enforce all necessary by-laws, rules,

Corporators' names, and corporate powers.

1865.

and regulations for its own government, and for the conduct of its business, not inconsistent with the constitution and laws of this State or the United States.

May acquire
lands.

Further pow
ers.

§ 2. The said company shall have power to purchase, lease, acquire, and hold such real estate in the State of Kentucky, or elsewhere, by lease, in fee simple, or otherwise, and such oil and mineral privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and sell and convey, or sub-let the same, or any part or interest therein, if deemed proper; and shall have power to dig, bore, mine, and in any other manner search for rock or carbon oil, and other volatile substances, coal, salt, iron, lead, and any and all other mineral substances, products, or deposits in the earth, and to extract, remove, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market, any or all of said mineral products, oils, and deposits, and transport and sell the same in or out of this State; and it shall have power to buy and hold, erect and construct all such buildings, machinery, tools, fixtures, and personal property of any kind and description whatever, deemed necessary or proper in carrying on said business, or any part thereof, and to make and construct all such roads and bridges as may be deemed necessary for the use and convenience of said company.

Principal office.

May borrow
money.

§ 3. The said company may open and keep its principal office in or out of this State, as the board of directors may determine; and may raise or borrow money upon such bonds, notes, or other evidences of debt, as the board of directors may order to be issued or executed, in such sums, and at such times and places, and at such rate of interest, as may be deemed advisable; and it may execute and deliver mortgages or other securities upon any or all of its property for the payment of such debts as may be, from time to time, created.

Capital stock.

§ 4. The capital stock of said company shall not exceed five millions of dollars, to be divided into such number of shares as the board of directors may determine, which shares shall be personal property, and shall be evidenced and transferred as prescribed by the by-laws, rules, and regulations of the company; the board of directors may fix the capital at first at a less sum than five millions of dollars, and increase the same from time to time as may be deemed expedient, but not to an amount exceeding the sum aforesaid; the said corporators named in the first section of this act shall constitute the board of directors of said company until their successors shall be chosen, as hereinafter prescribed; and they, or a majority of them, shall have power immediately to open books for the subscription of stock, and prescribe the contract of subscrip-

First board of
directors.

May open
books.

tion, the manner and time of payment, and the manner and grounds of forfeiture of such stock as may be subscribed and not paid for, as required on call; and when an amount shall be subscribed sufficient, in their judgment, to enable the said company to proceed to business, they shall call a meeting of the stockholders at such place as they may designate, to elect a board of directors and other officers of said company, which board of directors shall consist of not less than five nor more than nine, and shall continue in office for one year and until their successors are chosen; at such meeting the stockholders may elect a president, secretary, and treasurer, and other inferior officers of said company, or they may leave the appointment of such to the board of directors, as may be deemed most expedient; the president, secretary, treasurer, and other interior officers, shall receive such salary, hold their offices for such terms, and perform such duties, as may be prescribed by the by-laws and rules and regulations of the company; and they, or either of them, may be required to give bond and security for the faithful discharge of the duties of their respective offices; but nothing contained in any by-law, rule, or regulation shall be so construed as to prevent the board of directors from removing any such officer before the expiration of his term of office, if, in the judgment of said board, the interests of the company require such removal; and, in the event of any such removal, such officer shall be entitled to compensation only for the time he has actually served.

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New directors to be elected.

Officers to be appointed.

§ 5. The board of directors, or such number thereof as may constitute a quorum for the transaction of business according to the by-laws, rules, and regulations of the company, shall have power to fill all vacancies in any office occurring between the times fixed for regular elections.

Vacancies.

§ 6. Each share of stock shall entitle the holder or holders thereof to one vote at all meetings and elections held by the stockholders, and such vote may be cast by the holder or holders in person, or by virtue of a written proxy signed by him or them; and no person shall be voted for, or hold the office of president or director, unless he shall be, at the time, in good faith and in his own name, a stockholder in said company.

How stock voted.

§ 7. The said company, by its board of directors, shall have power to designate and set apart such portion of the funds arising from sales of the capital stock, or from the earnings and profits of its business, as may be deemed advisable to be held as a contingent or sinking fund; and when dividends are declared and distributed, such fund may be retained or loaned out; all dividends arising from the profits of the business of said company, and from sales

Contingent or sinking fund.

1865.

of real estate, or otherwise, shall be distributed among the stockholders *pro rata*, according to the amount of stock held by each.

§ 8. This act shall be in force from and after its passage.

Approved June 3, 1865.

CHAPTER 1703.

AN ACT to incorporate the Shawnee Mining and Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That David S. Ogden, U. C. Burnap, and Geo. C. Knight, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the Shawnee Mining and Petroleum Company, with perpetual succession and power, under the said name and style, to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places, as a natural person; and to make and have a common seal, and to break or alter the same at pleasure; and said company shall have the right to institute and enforce all necessary by-laws, rules and regulations, for its own government and for the conduct of its business, not inconsistent with the constitution and laws of this State or the United States.

May acquire lands.

Further powers.

§ 2. The said company shall have power to purchase or acquire and hold such real estate in the State of Kentucky and elsewhere, by lease, in fee simple, or otherwise, and such oil and mineral privileges, rights of way, and other easements, as it may deem necessary or expedient for its business, and sell and convey or sub-let the same, or any part thereof, or any interest therein, if deemed proper; and shall have power to dig, bore, mine, and in any other manner search for raw or carbon oil and other volatile substances, coal, salt, iron, lead, and any and all other products or deposits in the earth, and to extract and remove, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market any or all of said mineral products, oils, and deposits, and transport and sell the same in or out of this State; and it shall have power to buy and hold, erect and construct, all such buildings, machinery, tools, fixtures, and personal property of every kind and description whatever, deemed necessary or proper in carrying on said business or any part thereof; and to make and construct all such roads and bridges as may be deemed necessary for the use and convenience of said company.

Principal office.

§ 3. The said company may open and keep its principal in or out of this State, as the board of directors may determine, and may raise or borrow money upon such bonds,

notes, or other evidences of debt, as the board of directors may order to be issued or executed, in such sums, and at such times and places, at such rate of interest, as may be deemed advisable; and it may execute and deliver mortgages or other securities upon any or all of its property for the payment of such debts as may be, from time to time, created.

1865.
May borrow
money.

§ 4. The capital stock of said company shall not exceed five millions of dollars, to be divided into such number of shares as the board of directors may determine, which shares shall be personal property, and shall be evidenced and transferred as prescribed by the by-laws, rules, and regulations of the company. The board of directors may fix the capital at first at a less sum than five millions of dollars, and increase the same, from time to time, as may be deemed expedient, but not to an amount exceeding the sum aforesaid. The said corporators named in the first section of this act shall constitute the board of directors of said company until their successors shall be chosen as hereinafter prescribed; and they, or a majority of them, shall have power immediately to open books for the subscription of stock, and prescribe the contract of subscription, the manner and time of payment, and the manner and grounds of forfeiture of such stock, as may be subscribed, and not paid for as required on call; and when an amount shall be subscribed sufficient in their judgment to enable the said company to proceed to business, they shall call a meeting of the stockholders at such place as they may designate, to elect a board of directors and other officers of said company, which board of directors shall consist of not less than five nor more than nine, and shall continue in office for one year, and until their successors are chosen. At such meeting the stockholders may elect a president, secretary, and treasurer, and other inferior officers of said company, or they may leave the appointment of such to the board of directors as may be deemed expedient; the president, secretary, treasurer, and other inferior officers, shall receive such salary, hold their offices for such terms, and perform such duties, as may be prescribed by the by-laws, rules, and regulations of the company; and they, or either of them, may be required to give bond and security for the faithful discharge of the duties of their respective offices; but nothing contained in any by-law, rule, or regulation shall be so construed as to prevent the board of directors from removing any such officers before the expiration of his term of office, if, in the judgment of said board, the interests of the company require such removal; and, in the event of any such removal, such

Capital stock.

First board of
directors.

May open
books.

When to or-
ganize.

Officers to be
appointed.

1865.

officer shall be entitled to compensation only for the time he has actually served.

Vacancies.]

§ 5. The board of directors, or such number thereof as may constitute a quorum for the transaction of business according to the by-laws, rules, and regulations of the company, shall have power to fill all vacancies in any office occurring between the times fixed for regular elections.

How stock voted.

§ 6. Each share of stock shall entitle the holder or holders thereof to one vote at all meetings and elections held by the stockholders, and such vote may be cast by the holder or holders in person or by virtue of a written proxy signed by him or them; and no person shall be voted for or hold the office of president or director unless he shall be at the time, in good faith and in his own name, a stockholder in said company.

Contingent or sinking fund.

§ 7. The said company, by its board of directors, shall have power to designate and set apart such portion of the funds arising from sales of the capital stock, or from the earnings and profits of its business, as may be deemed advisable, to be held as a contingent or sinking fund; and when dividends are declared and distributed, such fund may be retained or loaned out. All dividends arising from the profits of the business of said company, and from sales of real estate or otherwise, shall be distributed among the stockholders *pro rata*, according to the amount of stock held by each.

§ 8. This act shall be in force from and after passage.

Approved June 3, 1865.

CHAPTER 1704.

AN ACT to incorporate the Licking Mining and Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Henry R. Lisle, J. G. Carlisle, and A. S. Knight, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the Licking Mining and Petroleum Company, with perpetual succession and power, under the said name and style, to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places, as a natural person; and to make and have a common seal, and to break or alter the same at pleasure; and said company shall have the right to institute and enforce all necessary by-laws, rules and regulations, for its own government and for the conduct of its business, not inconsistent with the constitution and laws of this State or the United States.

§ 2. The said company shall have power to purchase, acquire, and hold such real estate, in the State of Kentucky and elsewhere, by lease, in fee simple, or otherwise, and such oil and mineral privileges, rights of way, and other easements, as it may deem necessary or expedient for its business, and sell and convey or sub-let the same, or any part thereof, or any interest therein, if deemed proper; and shall have power to dig, bore, mine, and in any other manner search for raw or carbon oil and other volatile substances, coal, salt, iron, lead, and any and all other products or deposits in the earth, and to extract, remove, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market any or all of said mineral products, oils, and deposits, and transport and sell the same in or out of this State; and it shall have power to buy, hold, erect, and construct, all such buildings, machinery, tools, fixtures, and personal property of every kind and description whatever, deemed necessary or proper in carrying on said business or any part thereof; and to make and construct all such roads and bridges as may be deemed necessary for the use and convenience of said company.

1865.

May acquire lands.

Further powers.

§ 3. The said company may open and keep its principal office in or out of this State, as the board of directors may determine, and may raise or borrow money upon such bonds, notes, or other evidences of debt, as the board of directors may order to be issued or executed, in such sums, and at such times and places, and at such rates of interest, as may be deemed advisable; and it may execute and deliver mortgages or other securities upon any or all of its property for the payment of such debts as may be, from time to time, created.

Principal office.

May borrow money.

§ 4. The capital stock of said company shall not exceed five millions of dollars, to be divided into such number of shares as the board of directors may determine, which shares shall be personal property, and shall be evidenced and transferred as prescribed by the by-laws, rules, and regulations of the company; the board of directors may fix the capital at first at a less sum than five millions of dollars, and increase the same from time to time as may be deemed expedient, but not to an amount exceeding the sum aforesaid; the said corporators named in the first section of this act shall constitute the board of directors until their successors shall be chosen, as hereinafter prescribed; and they, or a majority of them, shall have power immediately to open books for the subscription of stock, and prescribe the contract of subscription, the manner and time of payment, and the manner and grounds of forfeiture of such stocks as may be subscribed and not paid for as required on call; and when an amount shall be subscribed sufficient, in their judgment, to enable the said

Capital stock.

First board of directors.

May open books.

1865.

New directors
to be elected.Officers to be
appointed.

company to proceed to business, they shall call a meeting of the stockholders at such place as they may designate, to elect a board of directors and other officers of said company, which board of directors shall consist of not less than five nor more than nine, and shall continue in office for one year and until their successors are chosen; at such meeting the stockholders may elect a president, secretary, and treasurer, and other inferior officers of said company, or they may leave the appointment of such to the board of directors, as may be deemed most expedient; the president, secretary, treasurer, and other interior officers, shall receive such salary, hold their offices for such terms, and perform such duties, as may be prescribed by the by-laws, rules, and regulations of the company; and they, or either of them, may be required to give bond and security for the faithful discharge of the duties of their respective offices; but nothing contained in any by-law, rule, or regulation, shall be so construed as to prevent the board of directors from removing any such officer before the expiration of his term of office, if, in the judgment of said board, the interest of the company require such removal; and, in the event of any such removal, such officer shall be entitled to compensation only for the time he has actually served.

Vacancies.

§ 5. The board of directors, or such number thereof as may constitute a quorum for the transaction of business according to the by-laws, rules, and regulations of the company, shall have power to fill all vacancies in any office occurring between the times fixed for regular elections.

How stock
voted.

§ 6. Each share of stock shall entitle the holder or holders thereof to one vote at all meetings and elections held by the stockholders, and such vote may be cast by the holder or holders in person, or by virtue of a written proxy signed by him or them; and no person shall be voted for, or hold the office of president or director, unless he should be, at the time, in good faith and in his own name, a stockholder in said company.

Contingent or
sinking fund.

§ 7. The said company, by its board of directors, shall have power to designate and set apart such portion of the funds arising from sales of the capital stock, or from the earnings and profits of its business, as may be deemed advisable to be held as a contingent or sinking fund; and when dividends are declared and distributed, such fund may be retained or loaned out; all dividends arising from the profits of the business of said company, and from sales of real estate or otherwise, shall be distributed among the stockholders *pro rata*, according to the amount of stock held by each.

§ 8. This act shall be in force from and after its passage.

Approved June 3, 1865.

CHAPTER 1705.

1865.

AN ACT to incorporate the Meeting Creek Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William D. Wood, Alfred Sturgeon, and W. L. Morris, and their associates, successors, and assigns, be, and they are hereby, constituted a body-corporate and politic, by the name and style of the Meeting Creek Petroleum Company, and by that name and style shall have perpetual succession, with power to contract and be contracted with, and sue and be sued, in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals, fluid or solid; and in the manufacturing, refining, preparing for market, transporting, and selling oil and salt, and other products of said business, and of the lands now owned or leased or which may hereafter be owned or leased by them in this State, and of selling or assigning the personal or real estate or stock of said company, as they may deem advisable; to hold their meetings and transport and sell their oil, salt, and other products within or without the State; and to have all the powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

Corporators' names, and corporate powers.

§ 2. The said corporators, or a majority of them, may organize said company by the appointment of a president and such other officers as managers as they may deem necessary, at such time as they may designate by notice previously given; and when thus organized, the said company shall have power to make such by-laws, rules, regulations as they may deem necessary, from time to time, for the government and prosecution of the business of the said corporation, not inconsistent with the constitution and laws of the United States or of this State.

Officers to be appointed.

May make by-laws.

§ 3. The capital stock of the said company shall be \$1,000,000, and said company shall have power to increase the same, from time to time, not exceeding \$3,500,000.

Capital stock.

§ 4. The said company may buy, lease, or rent any suitable lands, mines, oil, coal, iron, and salt right lands and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise; they may receive real estate, leasehold, mining or boring rights, and rights of way, in payment of such part of the subscriptions to stock as they may deem advisable; said company may erect and build on any of their lands such buildings, engines, machinery, and other fixtures, as may be deemed necessary, convenient, or proper for carrying on and conducting

May acquire lands.

1865.

the business of said corporation; nothing in this act shall be so construed as conferring banking privileges.

§ 5. This act to take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1706.

AN ACT to incorporate the Old Oil Spring Mining and Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That Sam. L. Mitchell, Geo. C. Knight, and Geo. F. Chester, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the Old Oil Spring Mining and Petroleum Company, with perpetual succession and power, under the said name and style, to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places, as a natural person; and to make and have a common seal, and to break or alter the same at pleasure; and said company shall have the right to institute and enforce all necessary by-laws, rules, and regulations for its own government, and for the conduct of its business, not inconsistent with the constitution and laws of this State or the United States.

May acquire
real estate.

Further pow-
ers.

§ 2. The said company shall have power to purchase, acquire, and hold such real estate, in the State of Kentucky and elsewhere, by lease, in fee simple, or otherwise, and such oil and mineral privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and sell and convey, or sub-let the same, or any part thereof, or any interest therein, if deemed proper; and shall have power to dig, bore, mine, and in any other manner search for rock or carbon oil, and other volatile substances, coal, salt, iron, lead, and any and all other products or deposits in the earth, and to extract, remove, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market, any or all of said mineral products, oils, and deposits, and transport and sell the same in or out of this State; and it shall have power to buy and hold, erect and construct, all such buildings, machinery, tools, fixtures, and personal property of every kind and description whatever, deemed necessary or proper in carrying on said business, or any part thereof, and to make and construct all such roads and bridges as may be deemed necessary for the use and convenience of said company.

Principal office.

§ 3. The said company may open and keep its principal office in or out of this State, as the board of directors may determine; and may raise or borrow money upon such

1865.

bonds, notes, or other evidences of debt, as the board of directors may order to be issued or executed, in such sums, and at such times and places, and at such rate of interest, as may be deemed advisable; and it may execute and deliver mortgages or other securities upon any or all of its property for the payment of such debts as may be, from time to time, created.

§ 4. The capital stock of said company shall not exceed five millions of dollars, to be divided into such number of shares as the board of directors may determine, which shares shall be personal property, and shall be evidenced and transferred as prescribed by the by-laws, rules, and regulations of the company; the board of directors may fix the capital at first at a less sum than five millions of dollars, and increase the same from time to time as may be deemed expedient, but not to an amount exceeding the sum aforesaid; the said corporators named in the first section of this act shall constitute the board of directors of said company until their successors shall be chosen, as hereinafter prescribed; and they, or a majority of them, shall have power immediately to open books for the subscription of stock, and prescribe the contract of subscription, the manner and time of payment, and the manner and grounds of forfeiture of such stock as may be subscribed and not paid for, as required on call; and when an amount shall be subscribed sufficient, in their judgment, to enable the said company to proceed to business, they shall call a meeting of the stockholders at such place as they may designate, to elect a board of directors and other officers of said company, which board of directors shall consist of not less than five nor more than nine, and shall continue in office for one year and until their successors are chosen; at such meeting the stockholders may elect a president, secretary, and treasurer, and other inferior officers of said company, or they may leave the appointment of such to the board of directors, as may be deemed most expedient; the president, secretary, treasurer, and other interior officers, shall receive such salary, hold their offices for such terms, and perform such duties, as may be prescribed by the by-laws, rules, and regulations of the company; and they, or either of them, may be required to give bond and security for the faithful discharge of the duties of their respective offices; but nothing contained in any by-law, rule, or regulation shall be so construed as to prevent the board of directors from removing any such officer before the expiration of his term of office, if, in the judgment of said board, the interests of the company require such removal; and, in the event of any such removal, such officer shall be entitled to compensation only for the time he has actually served.

Capital stock.

First board of directors.

May open books.

When new board of directors to be elected.

Officers to be appointed.

1865.

Quorum, by-
laws, &c.

§ 5. The board of directors, or such number thereof as may constitute a quorum for the transaction of business according to the by-laws, rules, and regulations of the company, shall have power to fill all vacancies in any office occurring between the times fixed for regular elections.

How stock
voted.

§ 6. Each share of stock shall entitle the holder or holders to one vote at all meetings and elections held by the stockholders, and such vote may be cast by the holder or holders in person, or by virtue of a written proxy signed by him or them; and no person shall be voted for, or hold the office of president or director, unless he shall be, at the time, in good faith and in his own name, a stockholder in said company.

Contingent or
sinking fund.

§ 7. The said company, by its board of directors, shall have power to designate and set apart such portion of the funds arising from sales of the capital stock, or from the earnings and profits of its business, as may be deemed advisable, to be held as a contingent or sinking fund; and when dividends are declared and distributed, such fund may be retained or loaned out; all dividends arising from the profits of the business of said company, and from sales of real estate or otherwise, shall be distributed among the stockholders *pro rata*, according to the amount of stock held by each.

§ 8. This act shall be in force from and after its passage.

Approved June 3, 1865.

CHAPTER 1707.

AN ACT to incorporate the Eureka Rock Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That William L. Morris, William D. Wood, John B. Cates, and their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Eureka Rock Oil Company," and by that name and style shall have perpetual succession, with power to contract and be contracted with, and sue and be sued, in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals, solid or fluid, and in the manufacturing, refining, preparing for market, transporting, and selling oil and salt, and other products of said business, and of the lands now owned or leased, or which may be hereafter owned or leased by them, in this State, and of selling or assigning the personal or real estate or stock of said company, as they may deem advisable; to hold their meetings,

1865.

and transport and sell their oil, salt, and other products within or without the State; and to have all the powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

§ 2. That said corporators, or a majority of them, may organize said company by the appointment of a president and such other officers and managers as they may deem necessary, at such time as they may designate by motion previously given; and when thus organized, the said company shall have power to make such by-laws, rules and regulations, as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the constitution and laws of the United States and this State.

Officers to be appointed.

May make by-laws.

§ 3. The capital stock of the said company shall be \$1,000,000, and said company shall have power to increase the same, from time to time, not exceeding \$3,000,000.

Capital stock.

§ 4. The said company may buy; lease, or rent any suitable lands, mines, oil, coal, iron, and salt rights, lands, and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise; they may receive real estate, leasehold, mining or boring rights, and rights of way, in payment of such part of the subscription to stock as they may deem advisable. Said company may erect and build, on any of their lands, such buildings, engines, machinery, and other fixtures, as may be deemed convenient and proper for carrying on and conducting the business of said corporation. Nothing contained in this bill shall be so construed as conferring banking privileges.

May acquire lands.

May erect buildings, &c.

§ 5. This act shall take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1708.

AN ACT to incorporate the Lynn Camp Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That John B. Cates, Wm. L. Morris, William D. Wood, and their associates, successors, and assigns, be, and they are hereby, constituted a body-corporate and politic, by the name and style of the "Lynn Camp Oil and Mining Company," and by that name and style shall have perpetual succession, with power to contract and be contracted with, and sue and be sued, in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals, fluid or solid; and in the

Corporators' names, and corporate powers.

1865.

manufacturing, refining, preparing for market, transporting, and selling oil and salt, and other products of said business, and of the lands now owned or leased, or which may hereafter be owned or leased by them in this State; and of selling or assigning the personal or real estate or stock of said company, as they may deem advisable; to hold their meetings and transport and sell their oil, salt, and other products, within or without the State; and to have all the powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

Officers to be
• appointed.

May make by-
laws.

§ 2. That said corporators, or a majority of them, may organize said company by the appointment of a president, and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given; and when thus organized, the said company shall have power to make such by-laws, rules, and regulations as they may deem necessary, from time to time, for the government and prosecution of the business of the said corporation, not inconsistent with the constitution and laws of the United States or of this State.

Capital stock.

§ 3. The capital stock of the said company shall be \$500,000, and said company shall have power to increase the same, from time to time, not exceeding \$2,500,000.

May acquire
lands.

§ 4. The said company may buy, lease, or rent any suitable lands, mines, oil, coal, iron, and salt rights, lands and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise; they may receive real estate, leasehold, mining and boring rights, and rights of way, in payment of such part of the subscriptions to stock as they may deem advisable; said company may erect and build on any of their lands such buildings, engines, machinery, and other fixtures, as may be deemed convenient and proper for carrying on and conducting the business of said corporation; nothing contained in this bill shall be construed to confer banking privileges.

§ 5. This act shall take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1709.

AN ACT to charter the Teutonic Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That C. W. Koch, Julius Winter, George P. Doern, M. Billing, C. C. Reufer, J. L. Deppen, and C. T. Wulkop, or a majority of them, their associates, successors, and assigns, be, and they are hereby, constituted and created a

body politic and corporate, by the name and style of the "Teutonic Petroleum and Mining Company," and by that name and style to have perpetual succession, for the purpose of boring for oil, manufacturing and refining oil, mining coal and other ores, manufacturing iron, lumber, and cooperage, and for transacting all the usual and necessary business of companies in mining, manufacturing, transporting to market, and selling of oil, coal, ores, and other products; and the said corporation, by said name, may sue and be sued, plead and be impleaded, have and use a common seal and alter the same at pleasure; may make rules and by-laws for the regulation and management of said corporation, not inconsistent with the laws of this State or the United States.

1865.

§ 2. The capital stock of said company shall be three hundred thousand dollars, to be divided into sixty thousand shares of five dollars each, which said shares shall be represented by proper certificates, signed by the president and secretary, and under the seal of the company, and shall be deemed personal property, transferable by assignment or otherwise, as may be provided for in the by-laws of said company. Capital stock.

§ 3. That said company shall have the right to acquire and hold, by purchase or lease, any and all such lands, tenements, oil rights, coal rights, ore rights, mining rights, and appurtenances, rights of way, buildings, real, personal, or mixed property, as they may deem necessary for the well-being and advantage of said company; and the same, or any part thereof, to use and occupy, sell, lease, or otherwise dispose of, as the directors or company may, from time to time, see proper; and to enter into and make all such arrangements, contracts, deeds, and obligations as may be requisite and proper in the prosecution of the business of said company. May acquire lands.

§ 4. That the business, property, and affairs of said company shall be managed and controlled by a board of five directors, to be chosen by the stockholders at such times and under such regulations as shall be prescribed by the by-laws, each stockholder being entitled to give, at every such election, either in person or by proxy, as many votes as he holds shares of stock: *Provided*, That the first election under this charter, for the purpose of organization, the incorporators named in the first section of this act, and their associates, joint owners of the rights and property of the company, shall each have one vote. Said directors may elect, from their own number, a president and vice-president, and prescribe their duties and fix their compensation; they may also appoint all other officers and agents, and remove the same at their discretion. Who to manage affairs of corporation.

Officers to be appointed.

1865.
Term of office.

§ 5. The president, vice-president, and directors shall hold their offices for one year or until their successors shall be duly elected and qualified.

§ 6. This act shall take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1710.

AN ACT to incorporate the Cypress Valley Petroleum and Prospecting Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That J. B. Hardy, Isaac Calhoun, and T. M. Conditt, their associates, successors, and assigns, be, and they are hereby, created a body corporate and politic, with perpetual succession, by the name of the "Cypress Valley Petroleum and Prospecting Company," with all the powers and authority incident to corporations, or hitherto granted to any corporation within this Commonwealth, for the uses and purposes hereinafter mentioned.

May acquire lands.

§ 3. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple or by lease, for mining and boring for petroleum and other oils, salt, &c., coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same, and to cut, raft, and float the timber from said lands; or to build any and all kinds of flats, boats, mills, or other buildings, fixtures, and machinery which said company may deem proper in order to further the operations of said corporation; or dispose of any portion or portions of its territory, or other property deemed advisable, and convey the same by deed or otherwise.

Capital stock.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each, and may be issued and transferred in such manner, and upon such conditions, as the board of trustees of said corporation may direct; and the same may be increased by them to an amount not to exceed eight hundred thousand dollars. The said corporators, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated, and give such notice of the times and places of receiving said subscriptions as they may deem proper.

Who to manage affairs of corporation.

§ 4. The affairs of said company shall be managed by three trustees, one of whom shall be president, and all of whom shall be stockholders in said corporation, who shall hold office for one year, or until their successors are elected. Whenever fifty thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice

When new board elected.

shall be given of the time and place of holding an election for a new board of trustees and president, who shall be elected by a majority in interest of the stockholders in said corporation. If any of them shall refuse or decline to act, or resign after accepting, a majority of those accepting shall fill the vacancy until the next election by the stockholders; the trustees, from time to time, may adopt, alter, repeal, and amend such by-laws and rules for the government of the property, and the management of the affairs of said company, as they may deem proper, not inconsistent with the laws and constitution of the State. They may keep their office at such place or places, within or out of the State, as they may deem best for the interest of the corporation. They may appoint and remove a secretary, treasurer, superintendent, and such other officers as they may deem necessary, with such compensation for services as they may fix. They may make such calls of payments of subscriptions of stock as they may deem proper, not to exceed twenty per cent. for every thirty days, and in default of payment the by-laws of said company may authorize a forfeiture of stock. They may use a common seal, and alter the same at pleasure. They may require a bond of security for such officers as may be elected or appointed until the election hereinbefore provided for; the powers and functions vested in said trustees are vested in said corporators.

1865.

May make by-laws.

Where to keep office.

Officers to be appointed.

Calls on stock.

§ 5. The shares of stock in said company shall be deemed and held as personal estate, and transferable on the books of said company as prescribed herein by the laws of said corporation.

Stock personal estate.

§ 6. No banking privileges are granted by this act, which shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1711.

AN ACT to incorporate the Henry Clay Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Ed. J. Mansfield, J. M. Davies, and Horace Brooks, and their associates, successors, and assigns, be, and they are hereby, created a body-corporate and politic, with perpetual succession, by the name of the "Henry Clay Petroleum Company," with all the powers and authority incident to such corporations, or hitherto granted any corporation within this Commonwealth, for the uses and purposes hereinafter mentioned.

Corporators' names, and corporate powers.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease,

May acquire lands.

1865.

for mining and boring for petroleum and other oils, salt, coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same; and to cut, raft, or float the timber from said lands, or build any and all kinds of floats, boats, mills, or other buildings, fixtures, and machinery, which said corporation may deem proper, in order to further the operations of said corporation, or dispose of any portion or portions of its territory and other property deemed advisable, and convey the same by deed or otherwise.

Capital stock.

§ 3. The capital stock of said corporation shall be two hundred and fifty thousand dollars, divided into shares of not less than five nor more than one hundred dollars each; and may be issued and transferred in such manner, and upon such conditions, as the board of trustees of said corporation may direct; and the same may be increased by them.

Stock personal estate.

§ 4. The shares of stock in said company shall be deemed personal estate, and transferable on the books of the company as prescribed by the by-laws of the corporation.

May open books.

§ 5. The said corporators, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated, and give such notice of the times and places of receiving subscription to the capital

Who to manage affairs.

stock thereof, as they may deem proper. The affairs of the corporation shall be managed by seven trustees, of whom the president of the company shall be one, and all of whom shall be stockholders in said corporation; their term of service shall be for one year, or until their successors are elected; within a period not exceeding six months after the time when fifty thousand dollars of the said stock is subscribed and ten per cent. thereof paid in, notice shall be given of the time and place of holding an election for a board of trustees and president, who shall be elected by a majority of interest of the stockholders represented. If

When directors to be elected.

any of those elected trustees, or the president, shall refuse or decline to act, or resign after acceptance, a majority of those accepting may fill the vacancy until the next elec-

May make by-laws.

tion by the stockholders; the trustees, from time to time, may adopt, alter, repeal, and amend such by-laws and rules, for the general management of the property, business, and affairs of the company, as they may deem proper, not inconsistent with the laws and constitution of this State; they may keep their offices at such place or places as they may deem best for the interests of the corporation; they may appoint and remove a secretary, treasurer, superintendent, and such other officers as they may deem necessary, with such compensation for services as they

Office where kept.

Calls on stock.

may fix; they may make such call of payment of subscriptions for stock as they may deem proper, not to exceed

twenty per cent. for every thirty days, and in default of payment the by-laws of said company may authorize a forfeiture of stock; they may use a common seal, and alter the same at pleasure; and they may require a bond with security from such officers as may be elected or appointed. Until the election hereinbefore provided for, the powers and functions vested in said board of trustees are vested in said corporators.

1865.

§ 6. No banking privileges are granted by this act.

§ 7. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1712.

AN ACT to incorporate the Beaver Dam Coal, Oil, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. B. Hardy, W. L. Bland, and J. B. Hendricks, their associates, successors, and assigns, be, and they are hereby, created a body-corporate and politic, with perpetual succession, by the name of the Beaver Dam Coal, Oil, and Mining Company, with all the powers and authority incident to corporations, and hitherto granted any corporation within this Commonwealth, for the uses and purposes hereinafter mentioned.

Corporators' names, and corporate powers.

§ 2. The corporation is hereby empowered and authorized to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same, and to cut, raft, and float the timber from the same, or build any and all kinds of flats, boats, mills, or other buildings, fixtures, and machinery which said company may deem proper, in order to further the operations of said corporation, or dispose of any portion or portions of its territory, and other property deemed advisable, and convey the same by deed or otherwise.

May acquire lands, &c.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than five nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of trustees of said corporation may direct, and the same may be increased by them to the amount of not exceeding eight hundred thousand dollars; the said corporators, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated, and give such notice of the times and places of receiving subscriptions to the capital stock thereof, as they may deem proper.

Capital stock.

May open books.

1865.

Who to man-
affairs.When directors
to be elected.May make by-
laws.Where may
keep office.Officers to be
appointed.

Calls on stock.

Stock personal
estate.

§ 4. The affairs of said corporation shall be managed by three trustees, one of whom shall be president, and all of whom shall be stockholders in said corporation, who shall hold office for one year, or until their successors are elected; whenever fifty thousand dollars are subscribed, and ten per cent. thereof paid in, notice shall be given of the time and place of holding an election for a board of trustees and president, who shall be elected by a majority in interest of the stockholders; if any of those elected shall decline or refuse to act, or resign after acceptance, a majority of those accepting may fill the vacancy until the next election by the stockholders; the trustees, from time to time, may adopt, alter, repeal, and amend such by-laws and rules for the general management of the property, business, and affairs of the company, as they may deem proper, not inconsistent with the laws and constitution of this State. They may keep their office or offices within or out of this State, as they may deem best for the interest of the corporation; they may appoint and remove a secretary, treasurer, superintendent, and such other officers as they may deem necessary, with compensation for such services as they may fix; they may make such calls of payments of the subscriptions of stock as they may deem proper, not to exceed twenty per cent. for every thirty days, and in default of payment, the by-laws of said company may authorize a forfeiture of stock; they may use a common seal, and alter the same at pleasure; they may require a bond of security for such officers as may be elected or appointed; until the election hereinbefore provided for, the powers and functions vested in said trustees are vested in said corporators.

§ 5. The shares of stock in said company shall be deemed personal estate, and transferable on the books of the company as prescribed by the laws of the corporation.

§ 6. No banking privileges are granted by this act, which takes effect from its passage.

Approved June 3, 1865.

CHAPTER 1713.

AN ACT to incorporate the Paint and Barnett Creek Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That Frederick W. Jones, William Kidd, and J. Mansfield Davis, and their associates, successors, and assigns, be, and they are hereby, created a body corporate and politic, with perpetual succession, by the name of the "Paint and Barnett Creek Oil and Mining Company,"

with all the powers and authority incident to such corporations, or hitherto granted any corporation within this Commonwealth, for the uses and purposes hereinafter mentioned.

1865.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same; and to cut, raft, or float the timber from said lands; or build any and all kinds of flats, boats, mills, or other buildings, fixtures, and machinery which said corporation may deem proper in order to further the operations of said corporation; or dispose of any portion or portions of its territory and other property deemed advisable, and convey the same by deed or otherwise.

May acquire lands.

§ 3. The capital stock of said corporation shall be one hundred and fifty thousand dollars, divided into shares of not less than five nor more than one hundred dollars each, and may be issued and transferred in such manner, and upon such conditions, as the board of trustees of said corporation may direct, and the same may be increased by them to an amount not exceeding two hundred and fifty thousand dollars.

Capital stock.

§ 4. The shares of stock in said company shall be deemed personal estate, and transferable on the books of the company as prescribed by the by-laws of the corporation.

Stock personal estate.

§ 5. The said corporators, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated, and give such notice of the times and places of receiving subscription to the capital stock thereof, as they may deem proper. The affairs of the said corporation shall be managed by seven trustees, of whom the president of the company shall be one, and all of whom shall be stockholders in said corporation; their term of service shall be for one year, or until their successors are elected; within a period not exceeding six months of the time when fifty thousand dollars of the said stock is subscribed and ten per cent. thereof paid in, notice shall be given of the time and place of holding an election for a board of trustees and president, who shall be elected by a majority of interest of the stockholders represented. If any of those elected trustees, or the president, shall refuse or decline to act, or resign after acceptance, a majority of those accepting may fill the vacancy until the next election by the stockholders. The trustees, from time to time, may adopt, alter, repeal, and amend such by-laws and rules, for the general management of the property, busi-

May open books.

Who to manage affairs.

When directors to be elected.

May make by-laws.

1865.

Office where
kept.Officers to be
appointed.

Calls on stock.

ness, and affairs of the company, as they may deem proper, not inconsistent with the laws and constitution of this State; they may keep their offices at such place or places as they may deem best for the interests of the corporation; they may appoint and remove a secretary, treasurer, superintendent, and such other officers as they may deem necessary, with such compensation for services as they may fix; they may make such calls of payment of subscriptions for stock as they may deem proper, not to exceed twenty per cent. for every thirty days; and in default of payment, the by-laws of said company may authorize a forfeiture of stock; they may use a common seal, and alter the same at pleasure; and they may require a bond with security from such officers as may be elected or appointed. Until the election hereinbefore provided for, the powers and functions vested in said board of trustees are vested in said corporators.

§ 6. No banking privileges are granted by this act.

Approved June 3, 1865.

CHAPTER 1714.

AN ACT to incorporate the Kearsarge Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That Richard P. Rundle, Nicholas W. S. Catlin, and Thomas D. Robinson, and their associates, successors, and assigns, be, and they are hereby, created a body corporate and politic, with perpetual succession, by the name of the "Kearsarge Petroleum Company," with all the powers and authority incident to corporations, or hitherto granted any corporation within this Commonwealth, and for the uses and purposes hereinafter mentioned.

May acquire
lands.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same; and to cut, raft, or float the timber from said lands, or build any and all kinds of floats, boats, mills, or other buildings, fixtures, and machinery deemed proper in order to further the operations of said corporation, or dispose of any portion or portions of its territory and other property deemed advisable, and convey the same by deed or otherwise.

Capital stock.

§ 3. The capital stock of said corporation shall be two hundred and fifty thousand dollars, divided into shares of not less than five nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of trustees of said cor-

poration may direct; and the capital stock may be increased, if deemed proper, to an amount not exceeding three hundred thousand dollars.

1865.

§ 4. The shares of stock in said company shall be deemed personal estate, and transferable on the books of the company as prescribed by the laws of the corporation.

Stock personal estate.

§ 5. The said corporators, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated, and give such notice of the times and places of receiving subscription to the capital stock thereof, as they may deem proper; the affairs of the said corporation shall be managed by seven trustees, of whom the president of the company shall be one, and all of whom shall be stockholders in said corporation; their term of service shall be for one year or until their successors are elected; within a period not exceeding six months after the time when fifty thousand dollars of the said stock is subscribed and ten per cent. thereof paid in, notice shall be given of the time and place of holding an election for a board of trustees and president, who shall be elected by a majority of interest of the stockholders represented. If any of those elected trustees, or the president, shall refuse or decline to act, or resign after acceptance, a majority of those accepting may fill the vacancy until the next election by the stockholders; the trustees, from time to time, may adopt, alter, repeal, and amend such by-laws and rules for the general management of the property, business, and affairs of the company, as they may deem proper, not inconsistent with the laws and constitution of this State; they may keep their offices at such place or places as they may deem best for the interests of the corporation; they may appoint and remove a secretary, treasurer, superintendent, and such other officers as they may deem necessary, with such compensation for their services as they may fix; they may make such calls of payment of subscriptions for stock as they may deem proper, not to exceed twenty per cent. for every thirty days, and in default of payment, the by-laws of said company may authorize a forfeiture of stock; they may use a common seal, and alter the same at pleasure; and they may require a bond, with security, from such officers as may be elected or appointed. Until the election hereinbefore provided for, the powers and functions vested in said board of trustees are vested in said corporators.

May open books.

Who to manage affairs of corporation.

When directors to be elected.

May make by-laws.

Where may keep office.

Officers to be appointed.

Calls on stock.

§ 6. No banking privileges are granted by this act.

Approved June 3, 1865.

1865.

CHAPTER 1715.

AN ACT to incorporate the Sacramento Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers. § 1. That J. B. Hardy, Isaac Calhoun, and Wm. Berry, their associates, successors, and assigns, he, and they are hereby, created a body-corporate and politic, by the name of the Sacramento Petroleum Company, with all the powers incident to corporations, or hitherto granted any corporation within this Commonwealth, for the purposes hereinafter mentioned.

May acquire lands, &c. § 2. This corporation is authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., mining coal, iron, zinc, copper, lead, and other minerals; to refine, ship, and vend the same; and to cut, raft, or float the timber from said lands, or build any and all kinds of boats, flats, mills, or other buildings, fixtures, and machinery deemed proper in order to further the operations of said company or dispose of any portion or portions of its territory or other property deemed advisable, and convey the same by deed or otherwise.

Capital stock. § 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each; and may be issued and transferred in such manner, and upon such conditions, as the board of directors of said corporation may direct; and the capital stock may be increased if deemed proper; and the shares of stock in said company shall be deemed and held as personal estate.

Who to manage affairs of corporation.
First board of directors. § 4. The affairs of said company shall be managed by three directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board of directors shall consist of J. B. Hardy, Isaac Calhoun, and William Berry, who shall continue in office until their successors are elected by a majority in interest of the stockholders in said corporation; and the board of directors thus chosen shall continue in office for one year, or until their successors are elected. If any of the directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else; they may adopt such by-laws and rules, and alter, amend, or repeal the same, from time to time, for the government of the corporation and management of its affairs and business, as they deem proper, not inconsistent with the constitution and laws of the State. The said corporators, or any of them, may open books and receive subscriptions to the capital stock of said corporation, and give such notice thereof, times, places, &c., as may be deemed proper.

May make by-laws.

Whenever fifty thousand dollars of the capital stock is subscribed and ten per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year, or until their successors are elected as provided herein; and may make such calls of payment of stock as they may deem proper, not to exceed twenty per cent. for every thirty days; and in default of payment, may authorize a forfeiture of stock; they may keep their office at such place or places as they deem to the interest of the company; they may appoint a secretary, treasurer, and such other officers and agents as they may deem necessary, with such compensation as they may fix for services; and by their by-laws regulate the mode of keeping their records; and may use a common seal, and alter the same at pleasure; sue and be sued, and maintain any action, whether as plaintiff or defendant, in any of the courts of this Commonwealth.

1865.

When new board elected.

Calls on stock.

Where to keep office.
Officers to be appointed.

§ 5. No banking privileges are granted by this act, which shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1716.

AN ACT to incorporate the Oregon, Mercer County, Salt, Iron, Oil, Petroleum, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That A. M. Vanosdall, D. S. Sharp, John W. Cardwell, William E. Palmer, R. Radford, F. W. Steadman, Abraham Sharp, J. E. Coger, and J. C. McAfee, and their associates and successors, are hereby constituted a body-corporate and politic, under the name and style of the Oregon, Mercer County, Salt, Iron, Oil, Petroleum, and Mining Company, with powers under that name to sue and be sued, issue and sell stock, purchase, hold, and sell lands, in fee simple or by lease, and generally to do and perform acts as a corporation which an individual might lawfully do or perform.

§ 2. The corporators above named shall be and continue the directors of said corporation until their successors shall be elected and qualified; they may elect one of their own number president, and may elect a secretary and treasurer, either of their own number or not.

§ 3. The capital stock of said company shall consist of three hundred thousand dollars, to be divided into shares of ten dollars each, but may be increased at any time by the board of directors, not to exceed one million of dollars, and such increased stock may be sold in the market

1865.

to raise money to carry on the operations of the company.

§ 4. The number of directors, the manner and time of electing them, and the officers of said company, the number of such officers, and their duties, the manner of receiving subscription of stock, payable either in money, lands, in fee, or leasehold, or other property, of selling stock in the market, and generally all matters pertaining to the business and conduct of said corporation, shall be controlled and regulated by by-laws to be, from time to time, adopted by the president and directors of said company.

§ 5. The object and business of said corporation shall be confined to the digging for iron ore and coal, boring for oil, and making salt, and establishing and carrying on the necessary manufactory of oil, salt, and iron, and providing means to convey coal, oil, salt, iron, and iron ore to market, and selling the same; and shall have the necessary powers to enable it to do so.

§ 6. The said powers shall continue for twenty years, and be subject to the general laws governing such corporations.

§ 7. No banking privilege is granted in this charter, which is in force and effect from its passage.

Approved June 3, 1865.

CHAPTER 1717:

AN ACT to incorporate the Oil Spring and Sand Lick Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers. § 1. That Wm. Frazier, Richard P. Rundle, and Wm. Kidd, and their associates, successors, and assigns, be, and they are hereby, created a body-corporate and politic, with perpetual succession, by the name of the "Oil Spring and Sand Lick Petroleum Company," with all the powers and authority incident to such corporations, and hitherto granted any corporation within this Commonwealth, for the uses and purposes hereinafter mentioned.

May acquire lands. § 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same; and to cut, raft, or float the timber from said lands, or build any and all kinds of floats, boats, mills, or other buildings, fixtures, and machinery, which said company may deem proper, in order to further the operations of said corporation, or dispose of any portion or portions of its territory and other

property deemed advisable, and convey the same by deed or otherwise.

1865.

§ 3. The capital stock of said corporation shall be one hundred thousand dollars, divided into shares of not less than five nor more than one hundred dollars each; and may be issued and transferred in such manner, and upon such conditions, as the board of trustees of said corporation may direct; and the same may be increased by them to an amount not exceeding two hundred thousand dollars.

Capital stock.

§ 4. The said corporators, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated, and give such notice of the times and places of receiving subscription to the capital stock thereof, as they may deem proper. The affairs of the said corporation shall be managed by seven trustees, of whom the president of the company shall be one, and all of whom shall be stockholders in said corporation; their term of service shall be for one year, or until their successors are elected; within a period not exceeding six months after the time when fifty thousand dollars of the said stock is subscribed and ten per cent. thereof paid in, notice shall be given of the time and place of holding an election for a board of trustees and president, who shall be elected by a majority of interest of the stockholders represented. If any of those elected trustees, or the president, shall refuse or decline to act, or resign after acceptance, a majority of those accepting may fill the vacancy until the next election by the stockholders; the trustees, from time to time, may adopt, alter, repeal, and amend such by-laws and rules, for the general management of the property, business, and affairs of the company, as they may deem proper, not inconsistent with the laws and constitution of this State; they may keep their offices at such place or places, within or without the State, as they may deem best for the interests of the corporation; they may appoint and remove a secretary, treasurer, superintendent, and such other officers as they may deem necessary, with such compensation for services as they may fix; they may make such calls of payment of subscriptions for stock as they may deem proper, not to exceed twenty per cent. for every thirty days, and in default of payment, the by-laws of said company may authorize a forfeiture of stock; they may use a common seal, and alter the same at pleasure; and they may require a bond with security from such officers as may be elected or appointed. Until the election hereinbefore provided for, the powers and functions vested in said board of trustees are vested in said corporators.

May open books.

Who to manage affairs.

When directors to be elected.

May make by-laws.

Where may office.

Officers to be appointed.

Calls on stock.

§ 5. The shares of stock in said company shall be deemed personal estate, and transferable on the books of the

1865. company as prescribed by the by-laws of the corporation.
 § 6. No banking privileges are granted in this act.

Approved June 3, 1865.

CHAPTER 1718.

AN ACT to incorporate the Wolf Lick Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That J. B. Hardy, H. D. Barrett, and William Berry, their associates, successors, and assigns, be, and they are hereby, created a body-corporate and politic, with perpetual succession, by the name of the Wolf Lick Petroleum Company, with all of the powers incident to corporations, or hitherto granted any corporation within this Commonwealth, for the uses and purposes hereinafter mentioned.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same, and to cut, raft and float the timber from the same, or build any and all kinds of flats, boats, mills, fixtures, and machinery which said company may deem proper, in order to further the operations of said corporation, or dispose of any portion or portions of its territory, or other property deemed advisable, and convey the same by deed or otherwise.

Capital stock.

§ 3. The capital stock of said corporation shall be three hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of trustees of said corporation may direct; and the same may be increased by them to an amount not to exceed five hundred thousand dollars; the said corporators, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated, and give such notice of the times and places of receiving subscriptions to the capital stock thereof, as they may deem proper.

May open books.

Who to manage affairs.

§ 4. The affairs of said corporation shall be managed by three trustees, one of whom shall be president, and all of whom shall be stockholders in said company, who shall hold office for one year, or until their successors are elected; whenever fifty thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice shall be given of the time and place of holding an election of a new board of trustees and president, who shall be elected by a majority in interest of the stockholders; if any

When directors to be elected.

of those elected shall refuse or decline to act, or resign after acceptance, a majority of those accepting may fill the vacancy until the next election by the stockholders; the trustees, from time to time, may adopt, alter, repeal, or amend such by-laws and rules for the general management of the property, business, and affairs of said company, as they may deem proper, not inconsistent with the laws and constitution of this State. They may keep their office or offices within or out of this State, as they may deem best for the interest of the company; they may appoint and remove a secretary, treasurer, superintendent, and such other officers as they may deem necessary, with such compensation as they may fix; they may make such calls of payments of the subscription to the capital stock as they may deem proper, not to exceed twenty per cent. for every thirty days, and in default of payment, the by-laws may authorize a forfeiture of stock; they may use a common seal, and alter the same at pleasure; they may require a bond of security for such officers as are elected or appointed; until the election hereinbefore provided for, the powers and functions vested in said trustees are vested in said corporators.

1865.

May make by-laws.

Officers to be appointed.

Calls on stock.

§ 5. The shares of stock in said company shall be deemed personal estate, and transferable on the books of the company as prescribed herein by the by-laws of the corporation.

§ 6. No banking privileges are granted by this charter, which shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1719.

AN ACT to charter the Licking and Ohio River Railroad Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That all persons who shall become stockholders, pursuant to this act, in the company hereby formed and authorized, shall be, and are hereby, made a body corporate, under the name of the "Licking and Ohio River Railroad Company," with power to construct and maintain a railway, with a double or single track, with such appendages as may be deemed necessary for the convenient use of the same, commencing at any eligible point on the Ohio river at or near Catlettsburg, at the mouth of Big Sandy, or on the Big Sandy near it, or between it and Greenupsburg, thence by any practicable route to the Licking river from the mouth of Triplett to Salyersville.

Corporators' names, and corporate powers.

§ 2. The capital stock of said company shall be one million of dollars, divided in shares of one hundred dol-

Capital stock.

1865.

Commissioners
to open books.

lars each, to be increased, if necessary to complete and equip said road, and prepare the necessary landings, depots, engines, &c., to five millions of dollars, which stock shall be deemed personal property.

§ 3. That R. M. Biggs, E. S. Goodrich, Andrew Biggs, H. C. Gartrill, Elijah Patrick, F. K. O'Farrell, Wm. Campbell, Geo. N. Braun, L. J. Moore, Hansford Kenner, shall be commissioners, who, with any other persons, to be designated by any three of said commissioners, for receiving subscriptions of stock to the capital stock of the corporation, agreeably to the provisions of this act.

Sections of
another act in-
corporated.

§ 4. *And be it further enacted*, That sections four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, of the act of the General Assembly of the Commonwealth of Kentucky, granting a charter to the Lexington and Big Sandy railroad company, approved January 9, 1852, be, and the same are hereby, adopted as sections so numbered, and as part and parcel of the charter hereby authorized, with all of the rights and powers therein granted; and also that the twenty-ninth section of said act be also taken as a section of this act, except that it shall not be necessary to publish the notice required by the fourth section in the papers of Lexington and Mount Sterling; and that wherever the name "Lexington and Big Sandy railroad" appears in said section, or any of them, the words "Licking and Ohio River railroad company," shall be inserted in lieu thereof.

§ 5. This act shall be in force from its passage.

Approved June 3, 1865.

CHAPTER 1720.

AN ACT to amend an act, entitled "An act to incorporate the town of Clayvillage, in Shelby county."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That act establishing the town of Clayvillage, in Shelby county, be, and the same is hereby, so amended as to authorize the citizens of said town to elect a town marshal at the same time and place, and in the same manner, as the trustees of said town are elected; and the person receiving the greatest number of the qualified votes, who reside in said town, shall be declared duly elected; and he shall be liable to the same restrictions, responsibilities, and take the same oath, that constables usually take; have the same powers in said town voting district, also the county

and State, in all civil and criminal cases, and continue in office two years. It shall be the duty of said marshal to attend the meetings of said trustees, collect all fines imposed on citizens and others for violating the statutory laws, or the by-laws of said town; he shall execute bond, with good security, to be approved of by the board of trustees for said town, payable to said trustees in a penalty as the board shall direct and require, conditioned for the faithful discharge of the duties of said office; and he shall be liable to be motioned against in the same manner that constables are.

1865.

Duty of trustees and marshal.

Liabilities, &c.

Approved June 3, 1865.

CHAPTER 1721.

AN ACT for the benefit of Wm. F. Evens, Judge of the Barren County Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Wm. F. Evens, judge of the Barren county court, shall have the further time of two years, from and after the passage of this act, to issue and collect his fee bills, and the same shall be distrainable as now provided by law: *Provided*, That he shall also be subject to all the laws now in force against issuing and collecting illegal fee bills.

§ 2. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1722.

AN ACT for the benefit of D. L. Miller, late Sheriff of Ohio County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That D. L. Miller, late sheriff of Ohio county, be, and he is hereby, allowed the further time, until the first day of September, to collect and pay over the balance of the uncollected revenue due the State for 1864: *Provided*, Before said D. L. Miller shall be allowed the benefit of this act, his sureties shall enter their consent in the county court, and the same shall be entered of record in said county.

§ 2. This act shall take effect from its passage.

Approved June 3, 1865.

1865.

CHAPTER 1723.

AN ACT for the benefit of school districts Nos. 9 and 30, in Harrison county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the common school commissioner of Harrison county is hereby authorized and directed to pay the trustees of school districts Nos. 9 and 30, in said county, what may be due them for common schools taught therein in 1864, out of the balance remaining in his hands of moneys apportioned in former years, he accounting for the same as for other moneys disbursed.

§ 2. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1724.

AN ACT to enlarge the Voting Precinct of Mt. Sterling, in Montgomery County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the boundary of the Mt. Sterling voting district, of Montgomery county, be, and is hereby, enlarged so as to embrace the residence of and include John N. Congleton, J. D. Reid, Henry Reid, John Davis, and Richard Reid.

§ 2. This act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1726.

AN ACT to change the place of Voting in Nauvoo Precinct, in Hart County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That hereafter the place of voting in Nauvoo precinct, in Hart county, be at Hardyville.

§ 2. This act shall be in force from its passage.

Approved June 3, 1865.

CHAPTER 1727.

AN ACT to authorize the Bank of Ashland and branches to wind up its affairs.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the president, directors, and company of the Bank of Ashland and branches, be, and they are hereby,

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authorized and empowered to surrender up its charter and wind up the affairs of said bank and branches, if a majority of the stockholders represented by stock shall consent to the same, or have consented thereto.

§ 2. To effect this, the said president, directors, and company shall have all the powers which may be necessary and proper to wind up and liquidate the affairs of said bank and branches upon equitable principles.

§ 3. Before said bank and branches shall avail themselves of the benefit of this act, the president and directors shall cause an advertisement of the intention so to do to be published in a newspaper published nearest the place of location of the said mother bank and each of its branches, and one paper published in Louisville, for at least twenty days before the time of their action.

§ 4. In case the said bank should be closed under this act, and the stockholders, or any of them, shall organize a bank under the national banking law of the United States, then said bank so organized shall pay, as a tax on each share of stock, fifty cents, to be paid into the treasury to the credit of the school fund of the State on the 1st day of July of each year.

§ 5. This act shall be in force from its passage.

Approved June 3, 1865.

CHAPTER 1728.

AN ACT for the benefit of the Administrator of J. H. Eubank, deceased, late Sheriff of Barren County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the administrator of J. H. Eubank, deceased, late sheriff of Barren county, is hereby authorized to list with the sheriff of Barren county, or any constable of said county, for collection, all unpaid taxes, county levy, and fee bills due said decedent; that the officer with whom said taxes, county levy, and fee bills are listed, shall have full power to distrain for the collection of the same; and for that purpose all of said unpaid taxes, county levies, and fee bills shall be distrainable for two years from the passage of this act: *Provided*, That the said sheriff or constable, or their sureties, respectively, shall be responsible for their non or misfeasance in the collection of the same.

§ 2. This act shall take effect from its passage.

Approved June 3, 1865.

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CHAPTER 1729.

AN ACT for the benefit of Larkin Maxey, of Pulaski County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Larkin Maxey, of Pulaski county, be allowed to peddle goods in Pulaski county without paying a license for the same.

§ 2. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1730.

AN ACT for the benefit of M. M. Gaunce.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time of two years be allowed M. M. Gaunce, late clerk of the Nicholas county court, to list and collect his uncollected fee bills.

§ 2. That said fee bills be distrainable for two years from the passage of this act.

§ 3. Said Gaunce to be subject to all the penalties now in force by law for issuing and collecting illegal fee bills.

§ 4. This act to be in force from its passage.

Approved June 3, 1865.

CHAPTER 1731.

AN ACT incorporating the Harrodsburg Academy.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a school for the education of boys and young men shall be, and the same is hereby, established in or near the town of Harrodsburg, in the county of Mercer, to be known by the name and style of the "Harrodsburg Academy."

§ 2. That Christopher L. Jones, David W. Thompson, Beriah Magoffin, John Augustus Williams, and Jas. Taylor, and their successors in office, are hereby constituted a body corporate, with perpetual succession, by the name and style of the "Trustees of the Harrodsburg Academy."

§ 3. That said trustees, and their successors in office, shall have power to receive and hold, for the benefit of said Academy, by donation, devise, or purchase, any lands, tenements, money, or other property, not exceeding in value the sum of fifty thousand dollars; to sell and dispose of the same, or any part thereof, in such manner as they shall deem best for said Academy; to contract and be con-

tracted with, sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in any and all courts of competent jurisdiction. 1865.

§ 4. That said trustees may elect, from their own body, a president, treasurer, and secretary; have power to make and adopt all needful rules, regulations, and by-laws for the proper government of said Academy, not inconsistent with the constitution and laws of Kentucky or of the United States; to prescribe the course of studies to be pursued in said Academy; to employ officers, agents, and teachers, and fix their salaries; and to fill all vacancies that may occur in their own body.

§ 5. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1732.

AN ACT to incorporate Confidence Lodge No. 52, Ancient York Masons.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Wm. P. Coons, W. J. Ross, A. J. Newell, Jno. B. Gibson, and Wm. P. Watkins, and their successors in office, be, and they are hereby, created a body-corporate, under the name and style of Confidence Lodge, No. 52, of Free and Accepted Masons; and that the officers and members of said lodge, and their successors, shall so continue and have perpetual succession, and by the name and style aforesaid they are hereby made capable in law to sue and be sued, plead and be impleaded, to contract, and to answer and be answered, in the courts of law and equity of this State or elsewhere; to make, have, and use a common seal, and the same to break, alter, or change at their pleasure.

§ 2. The said corporation shall have the right to take and hold, by purchase, gift, or devise, real and personal estate, not exceeding the sum of twenty thousand dollars, to dispose of and convey the same at their pleasure.

§ 3. The business and affairs of said corporation shall be under the management and control of the five principal officers, to be elected annually by the members of said lodge, and whose duties shall be such as shall be prescribed by a majority thereof.

§ 4. The members of said corporation shall have power to pass such by-laws, rules, and regulations, not inconsistent with the constitution of the United States or of the State of Kentucky, for the safe-keeping of the property and other interests of the lodge.

§ 5. The Legislature reserves to itself the right to annul, modify, or repeal this act; but the repeal shall not deprive

1865. the parties interested of the property or effects acquired or held under this act.

§ 6. This act shall take effect from and after its passage.

Approved June 3, 1865

CHAPTER 1733.

AN ACT to authorize the County Court of Logan to increase the County levy for the years 1865 and 1866.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the county court of Logan, at their June term, 1865, a majority of all the justices in said county concurring, may levy an additional poll-tax on each person now liable to pay a poll-tax in said county, not exceeding one dollar and fifty cents on each poll, to be collected during the present year as other taxes are collected: *Provided*, Nothing in this act shall be so construed as to require the payment of a greater tax than three dollars on each poll, for the year 1865.

§ 2. That the county court of Logan, at their October term, 1865, a majority of the justices in said county concurring, may levy an additional poll-tax on each person then liable to pay a poll-tax in said county, not exceeding one dollar and fifty cents over and above the taxes now allowed to be levied at said October term of the Logan county court on each poll, to be collected in the year 1866, as other taxes are collected: *Provided*, Nothing in this act shall be so construed as to require the payment of a greater tax than three dollars on each poll for the year 1866.

§ 3. This act to take effect from its passage; and all the money raised under the first and second sections of this act shall be appropriated to rebuilding or repairing the damages done to the bridges in Logan county by the recent freshet.

Approved June 3, 1865.

CHAPTER 1734.

AN ACT for the benefit of M. B. Goble.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the further time of two years be, and is hereby, given to M. B. Goble, late clerk of the Lawrence circuit and county courts, within which to collect his unpaid fee bills, by distraint or otherwise.

§ 2. Said Goble, before he shall have the benefit of this act, shall give bond in the Lawrence county court, conditioned that he and his securities will pay to any one all damages which they may sustain by reason of the distress on payment and collection of any illegal fee bill.

§ 3. This act shall be in force from its passage.

Approved June 3, 1865.

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CHAPTER 1736.

AN ACT empowering the County Court of Pendleton county to purchase books, and cause to be made a suitable cross-index of the suits in the Pendleton circuit court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Pendleton county is hereby empowered to cause to be purchased and made, for the use of the Pendleton circuit court, suitable record books, prepared with a full and complete cross-index of all the suits in said court from its origin to the present time, which have not already been cross-indexed. The clerk of said circuit court, or any other person, may be employed to prepare said cross-index.

§ 2. That it shall be the duty of the clerk of said circuit court hereafter, when any suit is brought in said court, to immediately place the same upon said cross-index.

§ 3. That at the first court of claims in said county, after said books have been purchased, shall be allowed the charge for them; and at the first court of claims, after the cross-index shall have been completed, it shall allow, to the person who has made the same, a reasonable allowance for his services, which claims shall be paid out of the county levy then to be made.

§ 4. This act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1737.

AN ACT for the benefit of certain School Districts in Todd and Franklin Counties.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Superintendent of Public Instruction be, and he is hereby, authorized and directed to certify to the Auditor and direct payment on reports of school districts as follows, to-wit: District No. 7, in Todd county, for 1863, and district No. 17, in Franklin county, for 1864: *Provided*, 1. That payment be made only out of the untransferred

1865.

and unappropriated surplus, if any, due the counties respectively in which the said districts lie; and 2. That reports of said districts, duly made out, reach the Superintendent of Public Instruction on or before the 10th day of June, 1865.

§ 2. That this act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1738.

AN ACT to extend the limits of the Town of Irvine, Estill County, Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the present limits of the town of Irvine, Estill county, Kentucky, be, and the same are hereby, extended so as to include within the limits of said town the road leading from the present limits thereof to the upper ferry on the Kentucky river.

§ 2. It shall be the duty of the trustees of said town of Irvine to have the road so included in the limits thereof worked and kept in good order and repair; and if they fail to do so at any time for thirty days, the county court of Estill county shall appoint a surveyor for the road so included in said town, and allot to him hands resident in said town sufficient to put and keep the same in good repair; and if such surveyor fail to put and keep said road in repair, he shall be liable to indictment and fine in the manner and to the extent that the surveyors of other roads are.

§ 3. This act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1739.

AN ACT to incorporate the Hart County Educational Association.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That G. B. Burch, J. W. Hutchison, C. M. Dixon, G. W. Collins, and Wm. Adair, their associates and successors, are hereby created a body corporate and politic, under the corporate name of the "Hart County Educational Association;" by said corporate name they may sue and be sued, contract and be contracted with; to purchase or receive, by gift or otherwise, such parcel of land in Hart county as may be deemed necessary for the purposes of said association; and may erect thereon suitable buildings to carry on a first class school, which shall be situated in

the neighborhood of Gilead meeting house, in said county; may employ suitable teachers to carry on said school; to collect any debts that may be due said association, for tuition or otherwise, and to do all acts and make all contracts necessary and proper to carry out the purposes of said association.

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§ 2. That the capital stock of said association shall be five thousand dollars, to be divided into shares of twenty dollars each, and each share shall entitle the holder thereof to one vote in the election of the officers herein provided for; said shares of stock shall be transferable in such manner as shall be prescribed by the by-laws of the association.

§ 3. That the persons named in the first section of this act shall have power to open books for the subscription of stock to said association, and all such subscriptions shall be payable at such times and in such calls as the trustees may require, and may be recovered by suit in the name of said association.

§ 4. That, upon the subscription of not less than twenty-five shares of stock, there shall be an election for three trustees, who shall hold their office for one year or until their successors are elected; the election for trustees shall be annual, at such time as may be fixed by the by-laws; one of the trustees shall be chosen as chairman, and said trustees shall have power to contract for the erection of the buildings aforesaid, to employ teachers, and to make all necessary and needful by-laws for the government of said association, not inconsistent with the constitution and laws of the United States or this State.

§ 5. This act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1742.

AN ACT for the benefit of Wm. B. Ely, late Sheriff of Marshall County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time until the 1st day of October, 1865, be allowed Wm. B. Ely, late sheriff of Marshall, to collect and pay over the balance of the uncollected revenue due the State for the year 1864: *Provided*, That the said Ely shall not have the benefit of this act until his securities shall have appeared before the county court of said county and consented to the extension herein given.

§ 2. That this act shall take effect from its passage.

Approved June 3, 1865.

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CHAPTER 1748.

AN ACT for the benefit of Wm. Sims and others.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be lawful for the county court of Nicholas county, to make an order granting to William Sims, S. Kenton, John M. Ball, and Daniel Wells, the privilege of erecting a dam across main Licking river, at the mouth of Panther creek, in said county; said dam not to exceed two feet in height, under such limitations and restrictions as shall be deemed necessary by said court: *Provided*, That said Sims, Kenton, Ball, and Wells, shall, in said court, execute bond, with approved security, payable to the Commonwealth of Kentucky, the penalty of which shall be fixed by said court, conditioned to pay any damages that may be sustained by any person or persons navigating said river, in consequence of the erection of said dam, and that they will remove said dam within thirty days, whenever required to do so by said court.

§ 2. That the Legislature reserves the right to repeal this act, and direct the removal of said dam at any time it may deem proper.

Approved June 3, 1865.

CHAPTER 1744.

AN ACT to amend the charter of the City of Lexington.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section thirteen (13) of the charter of the city of Lexington be amended as follows: in the thirtieth (30th) line of said section, in the printed copy thereof, strike out the word "forty," and insert the words "fifty-five," so that that portion of said section shall read, "provided the same shall not exceed fifty-five cents on each hundred dollars for such valuation," the other portions of said section reading as heretofore.

§ 2. That the mayor and council of said city shall have the right to levy the additional tax provided for in the first section of this act, upon the assessment and valuation already made for the present year.

§ 3. That this act shall take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1745.

1865.

AN ACT authorizing the County Judge of Clinton County to grant Licenses.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That hereafter the county judge of Clinton county is authorized to grant tavern and all other licenses within the limits of the town of Albany, subject to the restrictions now imposed by law.

§ 2. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1746.

AN ACT for the benefit of Thos. Shackelford, Sheriff of McLean County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That time until the first day of October next be allowed Thomas Shackelford, sheriff of McLean county, in which to collect the public revenue and county levies for the year 1864, in said county, and to return his delinquent lists in said collection: *Provided, however,* That said sheriff shall not be entitled to the benefit of this act unless his securities shall first appear in the McLean county court, and enter their consent thereto upon the records of said court.

§ 2. This act shall take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1747.

AN ACT to authorize the County Court of Caldwell county to levy a tax to rebuild a Court-house.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Caldwell county, a majority of the justices of the peace for said county being present, at a regular term of said court, and all of them having been notified to attend, shall have power to levy a tax, not exceeding ten cents in any one year, upon the property of said county liable to taxation for State revenue, for the purpose of rebuilding the court-house for said county. The sheriff of said county shall collect and account for the same at the same time that he collects the county levy, and he and his sureties shall be responsible for the same in the same manner, and shall have the same commissions.

§ 2. This act shall take effect from its passage.

Approved June 3, 1865.

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CHAPTER 1748.

AN ACT for the benefit of the Commissioner of Tax for Green County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the commissioner of tax for the county of Green be, and the same is hereby, allowed the further time, to the 20th of June, in addition to the time now allowed by law, to make out and return to the county clerk of said county his list of taxable property for the year 1865; and when so made out and returned, he shall not be liable to the fine now imposed by law for a failure to make out and return his list at the time now prescribed by law.

§ 2. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1750.

AN ACT to incorporate the town of Auburn, in Logan County.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*Town incorpo-
rated, & limits.

§ 1. That the town of Auburn, in the county of Logan, be, and the same is hereby, incorporated, the boundary of which is to be as surveyed and laid off under the direction of H. Woodward, G. W. Gordon, and F. L. Sullivan, beginning at the centre of the village of Auburn, or as near as may be thereto, and extending north, east, south, and west from the centre, so as to include not more than one mile square; the plot of said survey shall be made out and filed in the office of the county court clerk of Logan county, and another copy of said survey shall be filed by said Woodward, Gordon, and Sullivan with the trustees of said town of Auburn, which plat of survey shall form part of their record.

Trustees to be
elected, & pow-
ers and duties.

§ 2. That on the first Monday in June in each year there shall be elected by the qualified voters, resident in said town, ten days' previous notice having been set up by the clerk of the board of trustees at five of the most public places in said town, five trustees in said town, who shall, before they enter on the discharge of their duties, take an oath before some justice of the peace of said county of Logan that they will faithfully discharge the duties of the office aforesaid; that said trustees and their successors shall be a body-politic and corporate, and shall be known as the "Board of Trustees of the town of Auburn," and by that name shall be capable of contracting and being contracted with, of suing and being sued, and of pleading and being impleaded, in all the courts of this Commonwealth.

Body-politic &
corporate.

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§ 3. That said trustees shall elect one of their number as chairman, who shall preside over the deliberations of said board when convened, and who shall have power to convene the board in session, whenever he may deem it necessary; the regular meetings of said board shall be on the second Saturday in each month; but all business transacted at a called meeting shall be as valid as though transacted at a regular meeting, provided that there are four trustees present at a called meeting; at a regular meeting, three shall be capable of transacting business.

Chairman—his powers and duties.

§ 4. That said board of trustees shall have power over the streets, alleys, and sidewalks, and may direct the opening and improving of the same, in such manner as they may deem most beneficial to said town; they shall have power to make all by-laws for the regulation and good government of said town, not inconsistent with the constitution and laws of the United States and of this Commonwealth; they shall have power to levy and collect a tax upon the property and tithes in said town, not exceeding fifteen cents on each one hundred dollars' worth of property, and not exceeding one dollar and fifty cents on each tithe in said town, to be applied to the improvement of the streets, alleys, sidewalks, or other improvements necessary therein; they shall have power to purchase any lot or piece of ground for the use of said town, necessary to straighten or extend the streets therein; to tax auction sales, shows, and other public exhibitions, such sums as they, in their by-laws, may fix; they shall have power to suppress tippling-houses and gaming; to fine all who may violate their by-laws in relation thereto any sum not exceeding thirty dollars for each offense, to be recovered before either of the justices of the peace residing in the district in which Auburn is situated; it shall be the duty of said board of trustees to appoint a treasurer, clerk, and such other officers as they may deem necessary, and to take bond and security; and for a violation of duty on the part of any such officers, motions may be made or suit brought before any tribunal having jurisdiction thereof; and a majority of said board of trustees may, for proper cause, remove any officer and appoint others in his or their stead; that it shall be the duty of said treasurer and clerk to keep a record of all proceedings which properly belong to their respective offices; and it shall be the duty of the treasurer to render an account to said board of trustees of all moneys received and paid out by him, whenever requested by them to do so.

Power over streets, alleys, &c.

May make by-laws.

Levy and collect tax, and how applied.

May extend streets.

Tax shows, &c., & suppress tippling-houses.

Fine for violation of laws.

Officers to be appointed, take bond, &c.

Record to be kept.

§ 5. That no street or alley shall be extended over the land of any person, unless such land, sufficient so to extend said street or alley, shall have been purchased as provided in section 4 of this act, or unless it shall have been con-

How streets, &c., may be extended.

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demned as provided in chapter 84, section 1, Revised Statutes, in reference to public roads; and the proceedings to extend said street or alley shall be in strict conformity to said chapter.

How money
drawn.

§ 6. That no money shall be drawn from the treasury except by order of the chairman of said board of trustees, made in pursuance of an allowance made by said board.

Appeals from
judgments.

§ 7. That upon all judgments rendered by either of the justices of the peace in said district in which said town of Auburn is situated, founded on a violation of the town ordinances or by-laws, either party shall have the right to appeal in the same manner as parties have from judgments of justices of the peace now by law.

Who to serve
process.

§ 8. That the constable resident in the district in which Auburn is situated, shall serve all process and precepts to him by either of the justices of the peace resident in said district, and collect all executions and other demands which may be put in his hands, issued in accordance with the ordinances and by-laws of said town, and account for and pay over all moneys collected on behalf of said town to their treasurer; and, on failure to discharge any of the duties herein required of him, shall be subject to the same proceedings which may be had against constables in similar cases.

Compensation
of officers to be
fixed.

§ 9. That said board of trustees shall fix the compensation of all their officers, except the fees of the justices of the peace and constable in said district, whose fees shall be the same as now regulated by law for similar services under the statutes of the State.

Fines to be
paid to town
treasurer.

§ 10. That all fines and forfeitures inflicted and collected under the ordinances and by-laws of said town, shall be paid to the treasurer of said board of trustees for the use and benefit of said town; and all moneys, collected by a judgment of a justice of the peace, for any violation of any of the penal laws, committed within the limits of said town, shall, in like manner, be paid over to the treasurer, and be subject to the order of the chairman of the board of trustees of said town.

Ordinances to
be transcribed.

§ 11. That all ordinances and by-laws, passed by said board of trustees, shall be transcribed, in a fair legible hand, in a book to be kept for that purpose, by the clerk of said board of trustees, as well as all the proceedings of said board, which shall be open to inspection to each and every citizen on demand.

When first elec-
tion held.

§ 12. That the first election of trustees under this act of incorporation shall be holden on the third Saturday in July next, under the supervision of H. Woodward and G. W. Gordon as judges, who are hereby empowered to appoint a clerk and sheriff to assist in said election; the trustees elected at said election shall hold their offices

until the first Monday in June, 1866, or until their successors are elected and qualified: *Provided*, Ten days' notice of said election shall have been set up by said Woodward and Gordon at five of the most public places in said town.

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§ 13. That the first board of trustees elected under this act shall provide, prior to the next election, proper officers for holding the same; and if, from any cause, the annual election contemplated by this act of incorporation for a board of trustees shall fail to be holden, the board then in office shall make the necessary provision for holding said election as soon thereafter as may be; and they then shall give at least ten days' notice of the time and place of holding said election, by written notices, posted in at least five public places in said town.

How future elections conducted.

§ 14. That all acts, or parts of acts, coming within purview of this act, be, and the same are hereby, repealed.

§ 15. This act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1751.

AN ACT concerning Toll-gates on the Shelbyville and Eminence Turnpike Road.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall not be lawful for the Shelbyville and Eminence turnpike road company to erect over said road any toll-gate within a less distance than one mile of said town of Eminence.

§ 2. This act shall be in force from its passage.

Approved June 3, 1865.

CHAPTER 1752.

AN ACT to close an alley in the town of Newcastle.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall and may be lawful for G. C. Castleman and J. N. Caplinger, of the town of Newcastle, to close an alley in said town which runs between their respective property; and when said alley is closed by, and with their consent, the use of the same as a public passway shall thereafter cease, and the authority by which the same was established shall be revoked and considered of no effect.

§ 2. This act to be in force from and after its passage.

Approved June 3, 1865.

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CHAPTER 1753.

AN ACT to enable the County Court of Warren County to levy a tax to build and buy bridges.

WHEREAS, By the recent great freshet in the creeks and rivers of Warren county, all the important bridges built by said county have been swept away and destroyed, to the great inconvenience and loss of the people thereof; and whereas, the interests of said people demand that new bridges shall be built as speedily as possible; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall and may be lawful for the county court of Warren county to levy and collect an *ad valorem* tax upon the taxable property of said county listed for State revenue purposes, any sum not exceeding five cents on each one hundred dollars in each year, which the said court shall appropriate to the construction of such bridges across any of the streams in said county, as in their judgment the convenience and interest of the people of said county demand; and they may appropriate a portion of the fund so raised in the purchase of the bridge across Barren river, at Bowling Green.

§ 2. That the assessment and collection of such taxes shall not be continued longer than twenty years; and the whole sum to be raised and appropriated, as herein provided for, shall not exceed twenty thousand dollars.

§ 3. In order to enable said county court to accomplish the purposes provided for as speedily as possible, said court may, by an order entered on its record, direct the presiding judge of said court to issue, execute, and deliver bonds of the said county, of denomination not less than one hundred dollars nor more than one thousand dollars, bearing six per cent. per annum, payable yearly, countersigned by the clerk; and to each bond the county seal shall be attached, the aggregate amount thereof not to exceed twenty thousand dollars; and they shall not be sold or paid on contract for the construction or purchase of said bridges at less than their par value. One fifth of said bonds to mature in four years, one fifth in eight years, one fifth in twelve years, one fifth in fifteen years, and one fifth in twenty years, all payable to bearer and transferable by delivery; and when said order is so made and entered, said judge shall execute and deliver the same to those entitled thereto.

§ 4. That said county court reserves the right to pay off any or all of the bonds herein directed to be executed at

any time after the first bonds become due, said tax to be levied and collected beginning with the year 1866.

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§ 5. This act to be in force from its passage.

Approved June 3, 1865.

CHAPTER 1755.

AN ACT to amend an act, entitled "An act to reduce into one the several acts in relation to the Town of Harrodsburg."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the act, entitled "An act to reduce into one the several acts in relation to the town of Harrodsburg," approved January 12, 1860, be, and the same is hereby, so amended that the board of trustees of said town shall have the same power to grant licenses to keep tavern in said town that has heretofore been vested in the county court of Mercer county by the general law; and the said power heretofore exercised by the county court is hereby taken away from the same as far as the town of Harrodsburg is concerned; and upon granting any tavern license by the said board of trustees, there shall be charged to the party obtaining said license the same tax to the Commonwealth as is now required by law to be collected and accounted for by the board of trustees as now required by law; and in addition to this, the said board of trustees shall have power to impose a tax of not less than ten nor more than twenty-five dollars, to be devoted to sustaining a police force in said town, and such other purposes as the board of trustees shall direct. That the same duties, rights, and responsibilities shall attach to and devolve upon the said board of trustees and persons obtaining license to keep tavern, that have heretofore devolved upon them by the general laws.

§ 2. *And be it further enacted,* That section 32 of said act, approved January 12, 1860, be further amended so that the board of trustees shall have power to assess a tax not exceeding forty cents on every hundred dollars' worth of property taxable of the said town.

§ 3. This act to take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1756.

AN ACT for the benefit of the Winchester and Lexington Turnpike Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the charter of the Winchester and Lexington turnpike company be so amended as to authorize the pres-

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ident and directors to collect a toll of ten cents on each one hundred pounds that any loaded wagon traveling said road may weigh exceeding ten thousand pounds; this is in addition to the tolls now collected; and in order to ascertain the weight of any wagon so traveling said road, the president and directors of the company are authorized to erect suitable scales at one of their gates, and to make such rules and regulations as may be necessary to carry out and enforce this act. *

§ 2. This act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1757.

AN ACT for the benefit of R. B. Evens, Clerk of Barren County Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That R. B. Evens, clerk of Barren county court, shall have the further time of two years, from and after the passage of this act, to issue and collect his fee bills, and the same shall be distrainable as now provided by law: *Provided*, That he shall also be subject to all the laws now in force against issuing and collecting illegal fee bills.

§ 2. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1758.

AN ACT to authorize the County Court of Hart County to organize and pay a Police Force for the protection of the citizens.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of the county of Hart be, and the same is hereby, authorized to levy an *ad valorem* tax upon the property in said county subject to taxation for revenue purposes, to pay a body of men, not exceeding twenty in number, for a county police, whose duty it shall be to patrol and guard the county against all guerrillas and outlaws, and assist the civil authorities in executing the laws: *Provided*, That the tax herein provided for shall not exceed ten cents on each \$100 worth of taxable property; and a majority of the justices of the peace in commission in said county shall concur in the levy.

§ 2. That said police shall be appointed by the county court, a majority of the justices being present and concurring therein.

§ 3. That said county court shall prescribe such rules and regulations, in regard to the duties of said police, as in its discretion may be deemed necessary and proper; fix their

compensation, provide for the collection of the tax herein provided for, the safe-keeping of the fund raised thereby, and the payment of the members of said police, from time to time; and may remove any one or all of said force at pleasure.

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§ 4. This act shall be in force from its passage, and remain in force for one year.

Approved June 3, 1865.

CHAPTER 1759.

AN ACT for the benefit of Luann Hutcheson, of Barren County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Luann Hutcheson, of Barren county, Kentucky, be, and she is hereby, relieved of all disabilities of coverture in regard to any property she may hereafter acquire by her own earnings, and all contracts she may hereafter make; property acquired by her own earnings after the passage of this act shall in nowise be subject to the payment of the debts of her husband, C. B. Hutcheson, now owing or hereafter to be contracted by him. Any property she may acquire may be subjected to the payment of debts contracted by her; and for this purpose she may be sued as a *feme sole*.

§ 2. This act shall take effect from its passage; but the General Assembly reserves the right to repeal this act at pleasure.

Approved June 3, 1865.

CHAPTER 1760.

AN ACT for the benefit of John H. Swift, late Sheriff of Calloway County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That said Swift shall be allowed the further time of two years in which to list his fee bills and the taxes due him as sheriff of said county for collection, and said fee bills and claims for taxes may be collected in the same manner, and by the same officers, and under the same liabilities, as other fee bills and taxes are now by law allowed to be collected; and they shall have the same distrainable force of other like claims; and this act shall be in force from its passage.

Approved June 3, 1865.

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CHAPTER 1761.

AN ACT for the benefit of Taylor County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county court of Taylor county be authorized to appoint not more than three commissioners, who shall for said county have power and are authorized to sell the materials of the old court-house, and all right and title of the county to the lot or land occupied heretofore by said court-house and public buildings; and to purchase or otherwise acquire another lot or plot of ground, with the consent and acceptance of the county court, upon which, in the town of Campbellsville, to build a court-house and other public county buildings.

§ 2. This act shall be in force from its passage.

Approved June 3, 1865

CHAPTER 1762.

AN ACT for the benefit of Martin Hardin, late Sheriff of Hardin County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Martin Hardin, late sheriff of Hardin county, be, and he is hereby, allowed until the 1st day of September next, to collect and pay into the public treasury the balance of the public revenue for 1864, and to return his delinquent list for said year: *Provided*, The said Hardin shall not have the benefit of this act until his sureties shall have appeared before the county court of said county and given their consent to the extension herein granted.

§ 2. That this act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1763.

AN ACT to change the place of Voting from Skilesville to Paradise, in Muhlenburg County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the place of voting in the Skilesville district, in Muhlenburg county, be changed from Skilesville to Paradise.

§ 2. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1764.

1865.

AN ACT to establish a toll-gate upon the Wilderness Turnpike, in Knox County, upon the waters of Yellow Creek.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county judge of Knox county be, and he is hereby, authorized to establish a toll-gate on the Wilderness turnpike road, on the waters of Yellow creek, in Knox county, and that said gate shall be authorized to collect the same tolls, and be governed in every respect by the same laws, that now govern the other gate on said Wilderness turnpike road, in Knox county.

§ 2. This act to be in force from its passage.

Approved June 3, 1865.

CHAPTER 1765.

AN ACT for the benefit of James Thomas White, of Grayson County,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be lawful for Thomas B. Vinson, of Grayson county, to file in the clerk's office of the Grayson county court his written declaration, acknowledged before said clerk, or attested by two witnesses, and proven by them as deeds are required by law to be, adopting James Thos. White as his lawful heir; and upon the same being so done, said James Thomas White shall be held capable of inheriting from and through him as fully as though born in lawful wedlock; said declaration shall be recorded in said clerk's office, and have the effects of a deed, so far as the using copies of the same as evidence in all proceedings in any court.

§ 2. This act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1766.

AN ACT for the benefit of Fractional District No. 33, in Green County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Superintendent of Public Instruction is hereby authorized and directed to certify to the Auditor the report of fractional district 33, in Green county, for a school taught therein in 1864, and direct payment thereon: *Provided*, 1st. That payment be made only out of whatever, if any, untransferred and unappropriated surplus remains in the Treasury to the credit of said county. 2d.

1865. That the report of said district reach the Superintendent on or before the 10th day of June, 1865.

§ 2. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1767.

AN ACT for the benefit of Richard Coxe.

WHEREAS, In the year 1864 ten thousand dollars of United States bonds belonging to Richard Coxe, of Oldham county, was improperly assessed; and whereas, the sheriff of said county has collected from said Coxe the sum of twenty-four dollars, and paid the same into the Treasury of the State; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer in favor of Richard Coxe, for the sum of twenty-four dollars, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1770.

AN ACT for the benefit of James M. Vaughan, late Sheriff of Knox County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That James M. Vaughan, late sheriff of Knox county, be allowed two months from the 3d Monday of June, 1865, to pay into the Treasury the balance of his revenue for 1864, and return his delinquent list.

§ 2. That this act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1771.

AN ACT to amend the charter of the Deposit Bank of Owensboro.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the charter of the Deposit Bank of Owensboro be, and the same is hereby, so amended, that any one stockholder may acquire and hold in his own right stock to the amount of (\$50,000) fifty thousand dollars; that the president and directors of said bank may, at any time, and

upon such notice as they may deem proper and necessary, either distribute among the old stockholders on equitable terms, or open their books for new subscription of stock, to the amount of shares authorized by the original charter and amendments thereto; that at all elections under the charter of said bank, each shareholder shall be entitled to one vote for every share held in his or her right.

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§ 2. That said bank may loan money or discount bills of exchange or promissory notes on personal security or upon other security, either bonds, stocks, other pledges, or mortgages.

§ 3. That said corporation shall have all the ordinary rights and privileges granted any of the chartered banks of Kentucky, except the right to issue paper as a circulating medium.

§ 4. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1772.

AN ACT to authorize the Boyd Circuit Clerk's Office to be furnished with Public Books.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be the duty of the circuit clerk of Boyd county, to certify to the Secretary of State what volumes of the Kentucky Reports and Acts of the General Assembly are in said office belonging to the State; and upon the reception of said certificate, it shall be the duty of the Secretary of State to furnish to the circuit clerk of Boyd county, for the use of said court, such volumes of the Kentucky Reports, the Revised Statutes of Kentucky (Stanton's edition), Stanton's Codes of Practice, and the Session Acts of the General Assembly since the session of 1860, as are not now in said office furnished by the State; and if said books are not now on hand, belonging to the State, from which they can be furnished, then said Secretary of State shall purchase and furnish them: *Provided*, That only such books shall be furnished as have not already been furnished to said county by the State.

§ 2. This act shall be in force from its passage.

Approved June 3, 1865.

1865.

CHAPTER 1773.

AN ACT to incorporate the North Kentucky Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

Corporators' names, and corporate powers.

§ 1. That Lafayette Devenny, William H. Clement, H. H. Huston, F. B. Rust, C. G. Rogers, J. W. Stevenson, and Harvey Myers, their associates and successors, be, and they are hereby, created a body corporate and politic, under the name of the "North Kentucky Oil Company," by which name said company may contract, sue and be sued; it may have and use a common seal; and may prescribe such by-laws, and employ such officers and agents, as are proper and necessary for the management of its business.

May acquire lands, &c.

§ 2. Said company is authorized to take, by gift or purchase, and in fee, or for a term of years, any real estate or any mining or other privilege therein, which it may deem useful and proper in the prosecution of its business, and may dispose of such estate at its pleasure.

Further powers.

§ 3. Said company is authorized to mine its lands for oil, salt, coal, or other mineral contained therein, and to take, refine, transport, and sell all mineral product by it so obtained; and it may procure and erect all necessary fixtures, tools, machinery, and buildings for the conduct of its business.

Capital stock.

§ 4. The board of directors shall, at their first meeting, fix the amount of the capital stock of said company, not, however, to exceed \$3,000,000, to be divided into shares of such denomination as they may determine, to be evidenced by proper certificates, and transferred in a manner to be prescribed in the by-laws. The board of directors may dispose of the capital stock in such manner as they may deem most advantageous for the interests of the company; and may use a portion thereof in the purchase of such real estate, mining privileges, machinery, and fixtures, as may be deemed necessary in the prosecution of the business of the company.

First board of directors.

Officers to be appointed.

May make by-laws.

Where may keep office.

§ 5. The five persons first named in the first section of this act shall constitute the board of directors of said company, from and after the approval of this act, until their successors are elected; they shall elect one of their number president of the board, and shall appoint a secretary, treasurer, and superintendent, and such other officers and employes as the prosecution of their business may, from time to time, require. They shall fix in their by-laws the number of directors of said company, and the time and manner of holding elections and filling vacancies; they shall keep an office in the State of Kentucky, but may have offices at such points, in or out of the State, as the convenient prosecution of their business may require.

§ 6. No person who is not a bona fide stockholder in said company shall be a director therein.

§ 7. No banking powers is granted in this charter.

§ 8. This act shall be in force from and after its passage.

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Approved June 3, 1865.

CHAPTER 1774.

AN ACT to incorporate the Cosmopolitan Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That James Crutcher, Joseph Brinker, and Z. F. Smith, their associates, successors, and assigns, be, and are hereby, constituted a body corporate and politic, by the name and style of the "Cosmopolitan Oil and Mining Company," and by this name and style shall have perpetual succession, with power to contract and be contracted with, to own property, to sue and be sued, in all courts and places; to have a common seal; to engage in mining for all minerals of value; in preparing for market, transporting, and selling the same, within or without the State; and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

§ 2. That said corporators may organize said company by the appointment of a president and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given; and when thus organized, the said company shall have power to make such by-laws, rules, and regulations as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the constitution and laws of the United States and of this State.

§ 3. The capital stock of said company shall be three hundred thousand dollars, and may be increased by said company at any time to three millions of dollars.

§ 4. The said company may buy, lease, or rent any suitable lands, mines, mining privileges, or products, rights of way, and other property and rights necessary for their business, and may dispose of the same, or any portion of the same, by sale or otherwise; they may receive real estate, leaseholds, mining rights, and rights of way, in payment of such part of subscriptions as they may deem advisable.

§ 5. Said company may erect and build on any of their lands such buildings, engines, machinery, and fixtures, as

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may be deemed convenient and proper for establishing and conducting the business of said corporation.

§ 6. That this act shall take effect from and after its passage; and the right to repeal, alter, or amend this charter reserved to the General Assembly.

Approved June 3, 1865.

CHAPTER 1775.

AN ACT to incorporate the Kavanaugh Coal, Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That W. B. Kavanaugh, J. Hawthorn, and L. R. Hawthorn, their associates, successors, and assigns, be, and they are hereby, created a body-corporate and politic, with perpetual succession, by the name of the Kavanaugh Coal, Oil, Mining, and Manufacturing Company, with all the powers and authority incident to corporations, or hitherto granted any corporation within this Commonwealth, for the purposes hereinafter mentioned.

Further powers and privileges.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease for mining and boring for petroleum and other oils, salt, &c., mining coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same; and to cut, raft, or float the timber from said lands, or build any and all kinds of flats, boats, mills, or other buildings, fixtures, and machinery, and roads of whatever character, deemed proper in order to further the operations of said company or corporation, or dispose of any portion of its territory or other property deemed advisable, and convey the same by deed or otherwise; and to sue and be sued, plead and be impleaded, and maintain or defend any suit, of whatever character, in all places as a natural person.

Capital stock.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each; and may be issued and transferred in such manner, and upon such conditions, as the board of directors of said corporation may direct; and the capital stock may be increased, if deemed proper, to one million dollars.

Stock personal estate.

§ 4. The shares of stock of said company shall be deemed personal estate, and transferable on the books of the company as prescribed by the by-laws of the corporation.

Who to manage affairs of corporation. First directors, term of office.

§ 5. The affairs of the company shall be managed by three directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board of directors shall consist of W. B. Kavanaugh,

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J. Hawthorn, and L. R. Hawthorn, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors thus chosen shall continue in office for one year, or until their successors are elected. If any of the directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else; they may adopt such by-laws and rules, and the same to alter, amend, or repeal, from time to time, in the general management of its property and business affairs, and the government of the corporation, as they deem proper, not inconsistent with the constitution and laws of the State of Kentucky. The said corporators, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated, and give such notice thereof, times, places, &c., as may be deemed proper. Whenever twenty thousand dollars of the capital stock is subscribed and ten per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year, or until their successors are elected as provided herein; and may make such calls of payment of stock as they deem proper, not to exceed ten per cent. for every thirty days; and in default of payment, the by-laws of said company may authorize a forfeiture of stock; they may keep their office at such place or places as they may deem to the interest of the company or corporation; they may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as they may fix; and by their by-laws regulate and fix the mode of keeping their records as may be deemed proper; and use a common seal, and alter the same at pleasure.

May make by-laws.

May open books.

Election of directors.

Calls on stock.

Where may office. Officers to be appointed.

§ 6. No banking privileges are granted by this act, which shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1776.

AN ACT to incorporate the Bunker Hill Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That S. W. Bond, T. M. Conditt, and William Berry, their successors, associates, and assigns, be, and they are hereby, created a body-corporate and politic, by the name of the "Bunker Hill Oil and Mining Company," with all the powers incident to corporations, or hitherto granted any corporation within this Commonwealth, for the purposes hereinafter mentioned.

Corporators' names, and corporate powers.

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§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., mining coal, iron, zinc, copper, lead, and other minerals, to refine, ship, and vend the same, and to cut, raft, or float the timber from said lands, or build flats, boats of all kinds, mills, or other buildings, fixtures, and machinery, deemed proper, in order to further the operations of said corporation, or dispose of any portion or portions of its territory, or other property deemed advisable, and convey the same by deed or otherwise.

Capital stock.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct; and the capital stock may be increased if deemed proper, but not at any time to be more than one million of dollars; and the shares of stock in said company shall be deemed and held as personal estate.

Who to manage affairs of corporation.
First directors, and term of office.

§ 4. The affairs of said company shall be managed by three directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board of directors shall consist of S. W. Bond, T. M. Conditt, and William Berry, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors thus chosen shall continue in office one year or until their successors are elected; if any of the directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else; they may adopt such by-laws and rules, and alter, amend, or repeal the same, from time to time, for the government of the company, and the management of its affairs and business, as they deem proper, not inconsistent with the constitution and laws of the State. The said corporation, or any of them, may open books and receive subscriptions to the capital stock of said company, and give such notice thereof, times, places, &c., as may be deemed proper; whenever fifty thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice may be given of an election of a new board of directors, who shall hold office for one year or until their successors are elected, as provided herein; and may make such calls of payment of stock as they may deem proper, not to exceed ten per cent. for every thirty days; and in default of payment, the by-laws of said company may authorize a forfeiture of stock; they may keep their office at such place or places as they may deem to the interest of the corpora-

May make by-laws.

May open books.

Election of directors.

Calls on stock.

Office where kept.

tion; they may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as they may fix; and by their by-laws regulate and fix the mode of keeping their records; and may use a common seal, and alter the same at pleasure; and sue and be sued, and maintain any action, whether as plaintiff or defendant, in any of the courts of this Commonwealth.

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Officers to be appointed.

§ 5. No banking privileges are granted by this act, which shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1777.

AN ACT to incorporate the Greenup and Boyd Coal, Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Benjamin Butterworth, A. M. White, and Wm. Stewart, their associates, successors, and assigns, be, and they are hereby, created a body-corporate and politic, with perpetual succession, by the name of the Greenup and Boyd Coal, Oil, Mining, and Manufacturing Company, with all the powers and authority incident to corporations, or hitherto granted any corporation within this Commonwealth, for the purposes hereinafter mentioned.

Corporators' names, and corporate powers.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., mining coal, iron, zinc, copper, lead, and other minerals, and to refine, manufacture, ship, and vend the same; and to cut, raft, or float the timber from said lands, or build any and all kinds of flats, boats, mills, or other buildings, fixtures, and machinery, and roads of whatever character, deemed proper, in order to further the operations of said corporation, or dispose of any portion or portions of its territory or other property deemed advisable, and convey the same by deed or otherwise; and to sue and be sued, plead and be impleaded, and maintain or defend any suit, of whatever character, in all places as a natural person.

Further powers.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less than ten nor more than one hundred dollars each; and may be issued and transferred in such manner, and upon such conditions, as the board of directors of said corporation may direct; and the capital stock may be increased, if deemed proper, to one million dollars.

Capital stock.

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Stock personal
estate.Who to man-
age affairs.First directors,
and term of of-
fice.May make by-
laws.May open
books.Election of
directors.

Calls on stock.

Where may
keep office.Officers to be
appointed.

§ 4. The shares of stock of said company shall be deemed personal estate, and transferable on the books of the company as prescribed by the by-laws of the corporation.

§ 5. The affairs of the company shall be managed by three directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board of directors shall consist of Benjamin Butterworth, A. M. White, and Wm. Stewart, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors thus chosen shall continue in office for one year, or until their successors are elected. If any of the directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else; they may adopt such by-laws and rules, and the same to alter, amend, or repeal, from time to time, in the general management of its property and business affairs, and the government of the corporation, as they deem proper, not inconsistent with the constitution and laws of the State. The said corporation, or any of them, may open books and receive subscriptions to the capital stock of said company herein incorporated, and give such notice thereof, times, places, &c., as may be deemed proper. Whenever thirty thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year, or until their successors are elected as provided herein; and may make such calls of payment of stock as they may deem proper, not to exceed ten per cent. for every thirty days; and in default of payment, the by-laws of said company may authorize a forfeiture of stock; they may keep their office at such place or places as they may deem to the interest of the corporation; they may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as they may fix; and by their by-laws regulate and fix the mode of keeping their records, as may be deemed proper; and use a common seal, and alter the same at pleasure.

§ 6. No banking privileges are granted by this act, which shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1778.

1865.

AN ACT to incorporate the Morgan County Petroleum, Coal, Oil, Salt, Lumber, and Mineral Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That George M. Hampton and William C. Miller, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the Morgan County Petroleum, Coal, Oil, Salt, Lumber, and Mineral Manufacturing Company, and by that name shall have perpetual succession, may contract and be contracted with, sue and be sued, plead and be impleaded, in all contracts and pleas; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of business and government of said company, not inconsistent with the constitution and laws of this State or of the United States.

• § 2. The capital stock of said company shall be two million of dollars, divided into shares of not less than ten nor more than one hundred dollars, to be issued and transferred in such manner, and upon such terms and conditions, as the company, or a majority of them, may prescribe; and the amount of said capital stock may be increased at any time by a majority of the stockholders of said company, at a meeting called for that purpose.

§ 3. The said company shall have power to appoint any one or more of its members or other persons to manage, carry on, and direct the business of said corporation according to the by-laws, rules, and regulations said company may adopt.

§ 4. That said company may acquire and hold such real and personal estate as they may deem necessary or proper for the raising and manufacturing of oil, salt, lumber, or mineral of any description, and transporting the same to market.

§ 5. The said company, when fully organized, may cause a book to be opened, and report subject to inspection by any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each member; the said shares may be transferred on said book in the manner to be prescribed by the by-laws of said company; and each member and stockholder shall share the profits and liabilities to the extent, and in proportion to the amount, of capital stock he owns in said company.

§ 6. The provisions of this act shall not be construed so as to confer banking privileges to this company.

§ 7. This act to be in force from and after its passage.

Approved June 3, 1865.

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CHAPTER 1779.

AN ACT to incorporate the Kentucky and Illinois Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

Corporators' names, and corporate powers.

§ 1. That Geo. W. Anderson, John C. Bonnycastle, Jno. W. Kirk, Thos. H. Yeatman, and J. Foster Anderson, their associates, successors, and assigns, be, and are hereby, constituted a body corporate and politic, by the title of the "Kentucky and Illinois Oil and Mining Company," with perpetual succession, with power to contract and be contracted with, to sue and be sued, in that name, in all courts and places; to have a common seal; to engage in the mining of rock or petroleum oil, or other salt water, or other minerals, on lands leased by them, or which may be hereafter leased or purchased by them, in the county of Union, State of Kentucky, and counties of Gallatin, Hardin, and Pope, State of Illinois; with the right of transportation of all such mineral products; and the right to hold meetings in the State, and to exercise all authority and to have all power which may be needful for the successful prosecution of their business, not inconsistent with State or United States law, and for the execution of powers herein granted.

Organization of company.

§ 2. That said corporators may organize said company by the appointment of a president and five directors, and such other officers as they may think proper, at such time and place as they may designate by notice previously given; and when organized, said company shall have power to make such by-laws, rules, and regulations as they may deem necessary for the government of the business of said company, and to enforce the same; said by-laws of said company not to conflict with the laws of this State or of the United States.

Capital stock.

§ 3. The capital stock of said company shall be thirty thousand dollars, and may be increased by the company to five hundred thousand dollars, and shall be divided into shares of twenty dollars each; and said company shall have power to organize when five thousand dollars have been subscribed.

How stock voted.

§ 4. That each stockholder shall be entitled to one vote for each share owned by him, which shall be given *viva voce*, or by proxy.

Further powers.

§ 5. Said company may build, buy, or own boats for the purpose of carrying on their business; and may dispose of their property, or any portion, by sale or otherwise; they may receive real estate or mining privileges in payment of such part of their stock as they may deem advisable, and shall have the power to hold, either by purchase or otherwise, such real estate, mining privileges, rights of way, or other property, as may be thought expedient by

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them for the successful prosecution of their business; and to dispose of the same, or any part thereof, as the interest of the company may require.

May borrow money.

§ 6. That it shall be lawful for the president and directors of said company, from time to time, to borrow or obtain on loans such sums of money, and on such terms, as they may deem expedient for the prosecution of the business of said company: *Provided*, The president and directors shall never permit the liabilities of said corporation to exceed the one half of its capital stock; and to pledge or mortgage any part of the real estate, improvements, privileges, effects, or assets of said company for the repayment of said sums of money so borrowed, on such terms as may be agreed upon.

May build railroad.

§ 7. Said company shall have power to build railroads and such other passways through their lands as they may deem necessary, and through the lands of others, if the consent of the owners can be obtained.

Record to be kept.

§ 8. Said company shall keep a record of all their business transactions, which shall be subject to the examination of any stockholder or creditor, and allow extracts of the same to be taken by those interested in the same.

§ 9. That this act shall take effect from and after its passage; and nothing shall be so construed as to confer banking privileges.

Approved June 3, 1865.

CHAPTER 1780.

AN ACT to incorporate the Green River Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Oliver P. Scaife, R. H. Palmer, D. C. Strawbridge, and James C. Richard, George H. Holtsman, and their successors and assigns, are hereby created a body-politic and corporate, by the name of the "Green River Oil and Mining Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places, as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company, and the conduct of its business, not inconsistent with the constitution and laws of this Commonwealth.

Further powers.

§ 2. That said company shall have power to purchase and hold such estate in Kentucky, and elsewhere, by lease, in fee, or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or

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expedient for its business; and shall have power to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products, and deposits in the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, and prepare for market, any or all of said minerals, products or deposits, and to transport and sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property deemed necessary or proper in the carrying on of said business or any part thereof; to sell, convey, transfer, or assign all or any part or interest in any of said estate, real or personal, corporate or incorporate; but nothing herein contained shall be construed as granting to the said company any banking powers.

Capital stock.

First board of directors.

May open books.

When may
commence
operations.

§ 3. The capital stock of said company shall not exceed one million dollars, to be divided into shares of five dollars each, which shares shall be personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company; and the said persons named, and their associates and successors, in the first section of this act, shall constitute the board of directors for said company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment and the grounds of forfeiture of stock subscribed for and not paid in when required; and when not less than one hundred thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall require to be paid in cash, the company may proceed to business; and the board, or a majority of them, shall organize by electing one of their number to be president of the company, and to preside at meetings of the board.

Annual elections.

§ 4. The said president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than five nor more than nine directors, who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the by-laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring in the board between annual elections, as shall be provided in the by-laws.

How stock
voted.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors or in stockholders' meetings, and must be voted by the holder in person, or by virtue of a written proxy signed by the holder; and no per-

son shall be voted for or hold the office of director who does not own at least five shares of the said capital stock.

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Officers to be appointed.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all the necessary secretaries, treasurers, cashiers, and other agents, employes and operatives, and for requiring bond and security of such of its officers, and in such amounts and penalty, as it may deem proper, the better to secure the faithful discharge of their duties.

§ 7. And the said company may, from time to time, as it may see proper, make, declare, and pay dividends of profits and distribute its net receipts and the proceeds of sales amongst the stockholders pro rata, according to the amount held by each.

§ 8. This act shall take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1781.

AN ACT to incorporate the Bowling Green Association for the Improvement of the Breed of Horses.

WHEREAS, It is represented to the General Assembly that an association has been formed for the improvement of the breed of horses, and for other purposes, and have a tract of land near Bowling Green, Kentucky, which has been conveyed, as will appear from the deed or deeds of record in the clerk's office of the Warren county court, and are the owners of other property, and desire to have an act of incorporation; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the members of said association, to-wit: T. B. Gorin, W. G. Robinson, James M. Covington, A. D. Roberts, B. C. Covington, G. W. Hoy, Woodford Dulaney, and J. H. Morton, be incorporated, and they are hereby created a body-politic and corporate, by the name and style of the "Bowling Green Association for the Improvement of the Breed of Horses," and by that name shall have perpetual succession, and power to buy, sell, exchange, train, and, in any manner they may deem proper, improve horses in or out of this State; and to pass by-laws, not inconsistent with the constitution and laws of this State and the United States.

§ 2. The property owned by said association, and conveyed as aforesaid, shall be, and the same is hereby, invested in said corporation; and said corporation is authorized to purchase, acquire, and hold real estate, and to receive and hold personal estate; and said real and per-

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sonal estate may be sold, aliened, and conveyed in such manner as they may designate by their by-laws.

§ 3. The members of said association shall have power to elect such officers as may seem to them necessary for the management of their concerns; and by their rules and by-laws prescribe the duties of said officers, and the regulation of their concerns.

§ 4. Shares in said association shall be deemed personal estate, and transferable in such manner as said corporation shall by its rules and by-laws prescribe.

§ 5. The officers of said association shall appoint a police, whose duty it shall be to arrest violators and offenders against the laws of this State, and bring them before the magistrates for trial.

§ 6. This charter to be in force only when the corporation shall have been organized by the consent and approval of all the corporators to all of its provisions.

Approved June 3, 1865.

CHAPTER 1782.

AN ACT to incorporate the Russell Creek Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That Samuel T. Wilson, Wm. N. Vaughn, and Jno. Q. Lewis, their associates, successors, and assigns, be, and they are hereby, created a body-corporate and politic, by the name and style of the Russell Creek Oil, Mining, and Manufacturing Company, with all the powers usually granted to corporations within this State, for the purposes hereinafter mentioned.

Further powers.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., mining coal, iron, zinc, copper, lead, silver, gold, and other minerals, to refine, ship, and vend the same; and to cut, raft, and float the timber from the said lands; to build boats of all kinds, mills, or other buildings, fixtures, and other machinery, that are proper and necessary for the furtherance of the operations of said corporation; they may dispose of any portion of their lands or other property, and convey the same by deed, lease, or otherwise, as they may deem best.

Capital stock.

§ 3. The corporate stock of said company shall be five hundred thousand dollars, divided into shares of not less than twenty dollars nor more than one hundred each; and may be issued and transferred in such manner, and upon such conditions, as may be prescribed by the by-laws; the shares of stock shall be deemed personal property.

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Who to manage affairs.
First directors,
and term of office.

§ 4. The affairs of said company shall be managed by three directors, one of whom shall be president, and all stockholders in said corporation; and the first board of directors shall be the above named corporated persons, who shall continue in office until their successors are elected by a majority of the stockholders of said corporation; and the board of directors thus chosen shall continue in office one year, or until their successors are elected and qualified. If any of the directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointment. They may adopt by-laws and rules, and alter, amend, or repeal the same at pleasure, for the government of the company and the management of its affairs and business, as they may deem proper, not inconsistent with the constitution and laws of the State or of the United States. The said corporation, or any of them, may open books and receive subscriptions to the capital stock of said company, and give notice thereof, the time, place, &c., as may be deemed proper. When fifty thousand dollars of the capital stock is subscribed and ten per cent. thereof paid in, notice may be given of the time and place of election of a new board of directors, who shall hold office for one year, or until their successors are elected as are provided herein; and may make such calls of payment of stock as they may deem proper, not to exceed ten per cent. for every thirty days; and in default of payment, the by-laws of said corporation may authorize a forfeiture of stock; they may keep their office at such place as they may deem to the interest of the corporation; they may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as may be fixed; and by their by-laws regulate and fix the mode of keeping their records; and may use a common seal, and alter the same at pleasure; and sue and be sued, and maintain any action, whether as plaintiff or defendant, in any of the courts of this Commonwealth.

May make by-laws.

May open books.

Election of directors.

Calls on stock.

Where may keep office.

Officers to be appointed.

§ 5. No banking privileges are granted by this act; this act to be in force and effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1783.

AN ACT to incorporate the Gratz Lead, Iron, Coal, Oil, Salt, and Lumber Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That A. G. Gower and Leslie Combs, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the "Gratz Lead, Iron, Coal, Oil, Salt, and Lumber Company,"

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and by that name shall have perpetual succession; may contract and be contracted with, sue, and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter and break the same at pleasure; may make all necessary by-laws for the transaction of the business and government of said company, not inconsistent with the constitution and laws of this State or of the United States.

§ 2. The capital stock of said company shall not exceed five hundred thousand dollars, which shall be divided into shares, subscribed and paid for in such manner as said company may, by its by-laws, prescribe.

§ 3. That said company shall have power to appoint any one or more of its members, or other persons, to manage, contract, and direct the business of said company, according to the by-laws, rules, and regulations which said company may adopt.

§ 4. That said company may acquire and hold such real and personal estate, by contract, as they may deem necessary or proper for the carrying on the mining of coal, the procuring and manufacture of salt, iron, lead, coal, oil, and lumber, and the transportation to market; together with such quantities of land as may be necessary for the establishment of forges, furnaces, mills, and landings, machinery, and depots for the same; and shall have power, by boring, mining, or otherwise, to extract or obtain coal, salt, lead, iron, oil, or any other mineral or substance within the earth or upon its surface; to refine, manufacture, or otherwise prepare the same, or any product or material it may obtain, for use, consumption, or market; and may transport and vend the same, either in their crude state or after being thus prepared.

§ 5. That said company, when fully organized, shall cause a book to be opened and kept subject to the inspection of any member of said company, which shall contain the names of all the members of said company, and the number of shares owned by each; and the said shares may be transferred in said books in the manner to be prescribed by the by-laws of said company; and each member shall share the profits and liabilities of said company to the extent of, and proportion to the amount of, capital stock he owns in said company, and no further.

§ 6. The Legislature reserves the right to repeal or alter this charter at will.

§ 7. This act to take effect from its passage, and remain in force thirty years, unless repealed by the General Assembly.

Approved June 3, 1865.

CHAPTER 1784.

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AN ACT to incorporate the Louisville Industrial Works.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there shall be, and hereby is, established in the city of Louisville, a corporation by the name of the "Louisville Industrial Works," with a capital stock of one hundred and fifty thousand dollars, to be divided into shares of one hundred dollars each, and subscribed and paid for by individuals, companies, or corporations, in the manner hereinafter mentioned and specified; and said corporation, by the name aforesaid, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and defend, in all courts and places, and in all matters whatsoever, as natural persons may do, with full power to acquire, hold, use, and enjoy, and the same to sell, convey, and dispose of, all such real estate, chattels, goods, and effects, not exceeding in value their capital stock, which may be necessary or convenient for the transaction of its business, or which may be acquired as security for or in payment of a debt or demand; and may have and use a common seal, and alter, change, or renew the same at pleasure; and may make and establish all necessary by-laws for the efficient management of its affairs and conduct of its business.

§ 2. The business of said corporation shall be the manufacture of bridges, cars, car wheels, axles, and other articles of wood and metals; and to buy and sell, in and out of this State, stock, material, and manufactured articles deemed necessary to the successful carrying on of said business.

§ 3. That George Ainslie, E. Benjamin, Gilman Trafton, A. P. Cochran, and James W. Ainslie, be, and they are hereby, appointed commissioners, whose duty it shall be to open books for the subscription of stock in said corporation, at such time and at such place, in the city of Louisville, as they, or any three of them, may deem expedient, they having first given notice thereof, not less than six days, by publication in some two daily newspapers published in said city; and when not less than fifty thousand dollars of said capital stock shall have been subscribed for, and such per cent. thereof paid in as may be required by the terms of subscription, to be fixed by said commissioners, or any three of them, then said commissioners, or any three of them, may, by publication of not less than five days in any daily newspapers of said city, call a meeting of the stockholders for the election of seven directors, who, when elected, shall complete the organization of the cor-

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poration by electing one of their number president; and also by electing such other officers as they may deem necessary for the efficient carrying on of the said business; after such organization, the said board of directors shall have control of the business and the affairs of the corporation, and may keep the books open for the further subscriptions to the stock, until the whole is subscribed.

§ 4. That after the first election, the stockholders shall, annually, on the first Wednesday of March, elect the same number of six directors, who shall hold their office until their successors are duly elected; and each board, when elected, shall appoint one of their number president of the board, and such other officers as may be provided for by resolution or by law.

§ 5. And after the stock herein provided for is taken, and the company organized, a majority of stockholders in interest may, at any regular or called meeting, increase the capital stock of said corporation to such amount as may be deemed necessary, but not to exceed six hundred thousand dollars; and cause books to be opened for subscriptions to the same.

§ 6. At all stockholders' meetings, each stockholder shall be entitled to cast one vote for every share of stock held by him, and votes may be cast by proxy, upon written authority of the stockholder.

§ 7. This act to take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1785.

AN ACT to incorporate the Merchants' Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That Griffith Ellis, Ichabod Corwin, W. J. Fell, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of the Merchants' Petroleum and Mining Company, with perpetual succession and power, under the said name and style, to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places, as a natural person; and to make, have, and use a common seal, and to break or alter the same at pleasure; and the said company shall have the right to institute and enforce all necessary by-laws, rules, and regulations for its own government, and for the conduct of its business, not inconsistent with the constitution and laws of this State or of the United States.

Farther pow-
ers.

§ 2. The said company shall have power to purchase, lease, acquire, and hold such real estate, in the State of

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Kentucky and elsewhere, by fee simple or otherwise, and such oil and mineral privileges, rights of way, and other easements, as it may deem necessary for its business, and to sell and convey or sub-let the same, or any part thereof or interest therein; and shall have power to dig, bore, mine, and in any other manner search for rock or carbon oil, and other volatile substances, coal, salt, iron, lead, and any and all other mineral products or deposits in the earth; and to extract, remove, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market, any or all of said mineral products, oils, and deposits, and transport and sell the same in or out of this State; and it shall have power to buy and hold or construct all such buildings, machinery, tools, and fixtures, and personal property of every kind, deemed necessary in carrying on said business or any part thereof; and to make and construct all such roads and bridges as may be necessary for the use and convenience of said company.

§ 3. The said company may open and keep its principal office in or out of this State, as the board of directors may determine; and may raise or borrow money, execute and deliver mortgages, or other security, upon any or all of its property, for the payment of such debts as may be, from time to time, created.

Where may
keep office—
borrow money.
&c.

§ 4. The capital stock of said company shall not exceed one million of dollars, to be divided into such number of shares as the board of directors may determine; which shares shall be personal property, and shall be evidenced and transferred as may be prescribed by the by-laws, rules, and regulations of said company; the board of directors at first may fix the capital stock at a less sum than one million of dollars, and increase the same, from time to time, as may be deemed expedient, not exceeding the amount aforesaid. The said corporators named in the first section of this act shall constitute the board of directors of said company until their successors shall be chosen as hereinafter provided; and they, or a majority of them, shall have power immediately to open books for the subscription of stock, and prescribe in the contract of subscription the manner and time of payment, and the manner and grounds of forfeiture of such stock as may be subscribed and not paid for on call; and when an amount shall be subscribed sufficient in their judgment to enable the said company to proceed to business, they shall call a meeting of the stockholders at such place as they may designate, to elect a board of directors and other officers of said company, which board of directors shall consist of not less than three nor more than seven persons, and shall continue in office for one year, and until their successors

Capital stock.

First board
of directors.

May open
books.

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Officers to be
elected.

shall be chosen; at such meeting the stockholders may elect a president, secretary, treasurer, and other inferior officers of said company, or they may leave the appointment to the board of directors; the president, secretary, and treasurer, and other inferior officers, shall receive such salary, hold their offices for such times, and perform such duties, as may be prescribed by the by-laws, rules, and regulations of the company; and they, or either of them, may be required to give bond and security for the faithful discharge of their duties; but nothing contained in any by-law, rule, or regulation shall be construed so as to prevent the board of directors from removing any such officers before the expiration of their terms of office, if, in the judgment of the board, the interests of the company require such removal; and in the event of such removal, such officer shall be entitled to compensation only for the time he actually served.

Vacancies.

§ 5. The board of directors shall have power to fill all vacancies in any office occurring between the times fixed for regular elections.

How stock
voted.

§ 6. Each share of stock shall entitle the holder or holders thereof to one vote at all meetings and elections held by the stockholders of said company; and such vote shall be cast in person or by virtue of a written proxy, signed by him or them, and no person shall be voted for, or shall hold the office of president or director, unless he shall be at the time, in good faith and in his own name, a stockholder in said company.

Contingent or
sinking fund.

§ 7. The said company, by its board of directors, shall have power to set apart such portion of the funds arising from sales of the capital stock, or from the earnings and profits of its business, as may be deemed advisable, to be held as a contingent or sinking fund; and when dividends are declared and distributed, such fund may be retained or loaned out; all dividends arising from the profits of the business of said company, and from sales of real estate, or otherwise, shall be distributed among the stockholders *pro rata*, according to the amount of stock held by each.

§ 8. This act shall take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1786.

AN ACT to incorporate the Frankfort Association for the Improvement of Horses.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Philip Swigert, R. H. Crittenden, E. H. Taylor, John M. Harlan, S. I. M. Major, R. P. Pepper, R. A.

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Alexander, G. E. Frazier, and John L. Neal, be, and are hereby, created a body-politic and corporate, with perpetual succession, under the name of "The Frankfort Association for the Improvement of Horses," and by that name may contract and be contracted with, may sue and be sued, in all courts in this Commonwealth; may have and adopt a common seal, alter and change the same at pleasure; may purchase and own grounds and stables and real estate to such an extent as their wants may require in the prosecution of the objects of said company and association.

§ 2. The said Frankfort Association shall have all the rights, privileges, and powers, so far as the same are applicable, which pertain to Woodlawn Association, of Jefferson county, Kentucky.

§ 3. Said association may organize by holding a meeting of the corporators herein, at such time and place as may be determined upon; and at such organization may elect five or eight of their number as directors, who shall elect a president and other officers of said association, such as secretary, treasurer, and all others which they may, from time to time, deem necessary for the successful prosecution of their business.

§ 4. The board of directors shall have power to adopt and provide all by-laws, rules, and regulations for the government of the affairs of said association, provided the same are consistent with this charter and the laws of the State and United States; the management of the affairs of said association shall belong to the board of directors, who, after the first election, shall be annually chosen by the stockholders of said association, or if not then chosen, an election may be ordered by the board; twenty days' notice being first given in some paper published in the city of Frankfort.

§ 5. The board may order books opened for subscription of stock; the shares of which shall be determined by the board, as well as the amount which each share shall represent: *Provided*, That the capital stock shall not exceed twenty thousand dollars.

§ 6. Said board shall have power to make all necessary regulations for the issuing and transferring stocks, and shall prescribe the mode of voting by proxy, and each stockholders shall be entitled to as many votes as he owns stock, and said stocks shall be considered as personal property.

§ 7. The Legislature reserves the power to alter and amend this act.

§ 8. This act shall take effect from its passage.

Approved June 3, 1865.

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CHAPTER 1789.

AN ACT to amend an act approved January 14, 1854, entitled "An act to incorporate the Covington Gas Light Company."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the capital stock of said company may be increased as well for the purpose of purchasing coal, and increasing the size of its works, as for the extension of its works.

§ 2. That any increase of the capital stock of said company which has heretofore been made for either of the purposes aforesaid, is hereby ratified and made valid.

§ 3. That said company shall have power to make dividends of the profits at any time on hand in such amounts as the condition of their means will permit.

§ 4. That this act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1791.

AN ACT to amend the charter of Uniontown.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the charter of Uniontown, in Union county, be, and is hereby, so amended as to confer upon the trustees thereof full power and authority to license coffee-houses, bowling saloons, and billiard tables, such coffee-houses, bowling saloons, and billiard tables to be subject to the tax due this Commonwealth as now provided by law.

§ 2. The town marshal of said town be, and he is hereby, given full power to sell any property in said town for the taxes levied by the trustees thereof; but before such sale takes place, he must first advertise the property of residents at least ten days before such sale, and in case of non-residents, at least thirty days before such sale; and in either case the owner of said property shall have the right to redeem the same within two years from the date of said sale by paying one hundred per centum upon the amount of tax for which said property was sold for; and in case said property is not redeemed within the time aforesaid, then it shall be the duty of the trustees of said town to order the marshal thereof to convey said property to the purchaser by deed of general warranty. It is hereby understood that the above section applies to the levy and sale of real estate alone.

§ 3. This act to take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1792.

1865.

AN ACT for the benefit of the late sheriffs of Clay and Owsley counties.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Asa Gilbert, late sheriff of Clay county, and Julius Hacker, late sheriff of Owsley, be allowed two years from the passage of this act in which to distrain for and collect their uncollected fee bills due them for services as sheriffs as aforesaid; they shall have all the powers and authority therefor that sheriffs have while in office, and in all respects be governed by the same laws, rules, regulations, and be subject to the same penalties for making illegal distress that sheriffs are subject to and liable for in such cases while in office.

§ 2. This act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1793.

AN ACT for the benefit of Peter Jett.

WHEREAS, It is represented to the General Assembly of the Commonwealth of Kentucky that Peter Jett, under his contract with the Secretary of State for the delivery of public books to the several counties, has been unable to obtain the receipt of five counties for said books; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor be, and he is hereby, directed to pay to said Jett, *pro rata*, under his said contract for his services, so far as he produces receipts for the delivery of said books.

§ 2. That this act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1795.

AN ACT to incorporate the Uniontown Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Ben Berry, E. G. Taylor, J. C. Hamilton, J. V. Cromwell, W. F. Berry, J. A. McGill, A. McIntyre, J. V. F. Williams, R. N. Ewell, D. R. Bridges, Alonzo Hatfield, W. J. Harris, J. T. Griffin, George Orm, J. J. Jones, John Musson, H. Munchoff, George Phipps, and Sylvester Pike, and their successors, be, and they are hereby, created a body-corporate and politic, by the name of the "Union-

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town Oil and Mining Company," for the term of thirty years, with all the powers and authority incident to corporations; to make and have a common seal, and the same to alter and renew at pleasure; to sue and be sued; to be capable by their corporate name of purchasing, holding, and conveying any estate, real or personal, necessary to enable them to carry on the objects of their incorporation, as hereinafter mentioned.

§ 2. The corporation is hereby authorized to bore, dig, or mine for petroleum or rock oil, coal, salt, or other minerals, on any lands within the State of Kentucky owned or held by said company, in fee simple or by lease.

§ 3. The capital stock of said company shall be five hundred thousand dollars, to be divided into one hundred thousand shares of five dollars each; to be issued and transferred in such manner and upon such conditions as the board of directors of such company may determine; and the amount of said capital stock may be increased at any time, by a vote of the stockholders of the said company, at a meeting called for the purpose.

§ 4. The affairs of said company shall be managed by a board of directors, ten in number, five of whom shall constitute a quorum for the transaction of business. The said directors shall elect one of their number to be president of the company; and no person shall be a director in said company unless he be at the same time a stockholder therein. The first board of directors shall consist of the corporators named in the first section hereof, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said company; and the board of directors chosen by the stockholders shall continue in office for one year, or until their successors are elected and qualified. If any of the above named directors shall decline to act, or refuse to act, a majority of the others shall fill the vacancy by appointing some one else. They may adopt such by-laws, rules, and regulations for the government of said company, and the management of its affairs and business, as they may deem proper, not inconsistent with the laws of the State. The said corporators, or any of them, may open books for subscription to the capital stock of the company herein incorporated; and such books of subscription may be opened, and subscriptions received at such times and places, and upon such notices thereof, as any three of said corporators may deem right and proper.

§ 5. The said company are further authorized to erect proper warehouses and other buildings and machinery for the storage, refining, and bonding of petroleum, and the storage of coal and other minerals, at such place or places as may be necessary for the prosecution of their business,

and to provide for the transportation of oil, coal, or other minerals to market; and for this purpose, the said company are hereby invested with the right of way for such roads and other improvements, in the same manner that turnpike road companies are authorized to acquire the right of way by the Revised Statutes of Kentucky.

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§ 6. The board of directors of said company are hereby authorized to open an office for the conduct of their business at such place or places as they may deem proper, and to make such rules to regulate the issuing and transfer of stock at their principal office as they may deem proper.

Approved June 3, 1865.

CHAPTER 1796.

AN ACT to incorporate the Nolin Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. R. Gaither, James A. Duncan, T. D. Fox, John G. Hansbrough, and D. B. Hutchings, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Nolin Oil and Mining Company," and by that name and style shall have perpetual succession, with power to contract and be contracted with; sue and be sued, in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals, and in the manufacturing, refining, preparing for market, transporting, and selling oil and salt and other products of said business, and of the lands now owned, or which may hereafter be owned by them in this State; to hold their meetings, and transport and sell their oil, salt, and other products within or without the State; and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

§ 2. That said corporators may organize said company by the appointment of a president, and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given; and when thus organized, the said company shall have power to make such by-laws, rules, and regulations as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the constitution and laws of the United States and of this State.

§ 3. The capital stock of said company shall be five hundred thousand dollars, and said company shall have power to increase the same, from time to time, not exceeding one million dollars.

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§ 4. The said company may buy, lease, or rent any suitable lands, mines, oil, and salt rights and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise; they may receive real estate, leaseholds, mining or boring rights, and rights of way, in payment of such part of subscriptions as they may deem advisable; said company may erect and build on any of their lands such buildings, engines, machinery, and fixtures as may be deemed convenient and proper for carrying on and conducting the business of said corporation.

§ 5. That this act shall take effect from and after its passage, and the right to repeal, alter, or amend this charter is reserved to the General Assembly.

Approved June 3, 1865.

CHAPTER 1797.

AN ACT to incorporate the Pettus Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and
corporate pow-
ers.

§ 1. That W. H. Pettus, J. B. Gudler, J. M. Perkins, J. J. Chesney, J. R. Richardson, W. F. Scott, John A. Woods, John M. Hail, Wm. Harvey, John Griffin, J. E. Copon, Lewis Patterson, Samuel R. Owens, S. A. Newell, E. S. Newell, J. W. F. Parker, H. C. Farris, J. W. Emerson, C. W. Richardson, W. McKee Fox, G. W. Sanders, F. F. Stigall, Sam. Newell, J. W. Hail, William Newell, and W. A. Sallee, their associates, assigns, and successors, are created a body-politic and corporate, by the name of the Pettus Petroleum and Mining Company, and by that name are made capable in law to do and perform all such acts as may be done by a natural person, with full power to contract and be contracted with, sue and be sued, plead and be impleaded, in all courts of this Commonwealth; may have a common seal, and may alter or amend the same at pleasure; may adopt such by-laws, rules, and regulations, for the government of the company as they may deem necessary, not, however, inconsistent with the laws of the State or United States; nor shall any banking privilege attach hereto.

Capital stock.

§ 2. The capital stock of said company shall not exceed one million of dollars, unless hereafter the stockholders should desire the capital augmented; and in no event shall it exceed five million; said stocks shall be divided into shares of not less than fifty dollars each; said company shall prescribe the manner of taking stock, the mode of payment, and what amount shall be taken, before the same shall be put in practical working condition; may prescribe the manner of transfer of said stocks, and make all proper

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Organization
of company.

regulations for the issuing the same; may meet at such time and place as may be determined upon for the purpose of organizing under this charter, and until organized, the persons herein mentioned shall be regarded as the board of directors, a majority of whom shall constitute a quorum to transact business; may elect a board of directors, consisting of five of their number, one of whom shall act as president thereof, which board shall thereafter be filled by annual elections, at stated periods, to be fixed by the board; said board shall have all the powers conferred upon the corporators as herein defined, and shall have power to employ all agents and managers, and other officers which may, from time to time, become necessary for the successful operations of the company; shall appoint a secretary and treasurer, whose duties shall be defined by the board; may require the treasurer to execute bond for the faithful performance of his duties.

§ 3. The said company shall have power to purchase lands, take leases, and purchase mining privileges; may own, control, and sell the same to any person or corporation; may open all manner of mines, bore wells, erect any manner of work-shops, buildings, and machine shops, deemed necessary for mining for any and all kinds of minerals, oils, salt works; may bore wells for all purposes deemed by them useful or necessary in mining for minerals, or prospecting, exploring, or procuring oils, salt, or any other mineral or volatile substance; shall have power to make all manner of roads, turnpike and railroads, to and from their wells, mines, and excavations to such places and points as may be necessary for the removal and transportation of their products, in the raw or manufactured and refined state, to such markets as they may, from time to time, select; shall, when said roads pass upon the lands of others, have power to contract with the owners for the right of way, and may, by regular proceedings, have lands condemned for that purpose; but shall, in all cases, make just compensation therefor; may have and own boats, landings, wharves, and all other necessary fixtures and property, real and personal, which may be deemed necessary for the prosecution of the business of said company.

Further power.

§ 4. The stock of said company shall be deemed personal property. This act to take effect from its passage; and the Legislature retains power to alter and amend this act.

Stock personal
estate.

Approved June 3, 1865.

1865.

CHAPTER 1798.

AN ACT to incorporate the Whippoorwill Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That John G. Hansbrough, D. B. Hutchings, T. D. Fox, W. D. Boyer, and Theodore Harris, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Whippoorwill Oil and Mining Company," and by that name and style shall have perpetual succession, with power to contract and be contracted with, sue and be sued, in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals; and in the manufacturing, refining, preparing for market, transporting, and selling oil, salt, and other products of said business, and of the lands now owned or which may hereafter be owned by them in this State; to hold their meetings, and transport and sell their oil, salt, and other products within or without the State; and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

§ 2. That said corporators may organize said company by the appointment of a president and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given; and when thus organized, the said company shall have power to make such by-laws, rules, and regulations as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the constitution and laws of the United States and of this State.

§ 3. The capital stock of said company shall be five hundred thousand dollars, and said company shall have power to increase the same, from time to time, not exceeding one million dollars.

§ 4. The said company may buy, lease, or rent any suitable lands, mines, oil and salt rights and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise; they may receive real estate, leaseholds, mining and boring rights, and rights of way, in payment of such part of subscriptions as they may deem advisable; said company may erect and build on any of their lands such buildings, engines, machinery, and fixtures as may be deemed convenient and proper for carrying on and conducting the business of said corporation.

§ 5. That this act shall take effect from and after its passage; and the right to repeal, alter, or amend this charter is

reserved to the General Assembly; and nothing in this charter shall be so construed as to confer banking privileges.

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Approved June 3, 1865.

CHAPTER 1799.

AN ACT to incorporate the Brownsville Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That A. Horral, H. D. Baker, and F. M. Hodge, their associates, successors, and assigns, be, and they are hereby, created a body corporate and politic, by the name of the "Brownsville Petroleum Company," with all the powers incident to corporations, or hitherto granted any corporations within the Commonwealth, for the purposes hereinafter mentioned.

Corporators' names, and corporate powers.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., mining coal, iron, zinc, copper, lead, and other minerals; to refine, ship, and vend the same; and to cut, raft, or float the timber from said lands; or build any and all kinds of boats, floats, mills, or other buildings, fixtures, and machinery deemed proper in order to further the operations of said company; or dispose of any portion or portions of its timber or other property deemed advisable, and convey the same by deed or otherwise.

Further powers.

§ 3. The capital stock of said company shall be two hundred thousand dollars, divided into shares of not less than ten nor more than (\$100) one hundred dollars each, and may be issued and transferred in such manner, and upon such conditions, as the board of directors of said corporation may direct; and the capital stock may be increased if deemed proper; and the shares of stock in said company shall be deemed and held as personal estate.

Capital stock.

§ 4. The affairs of said company shall be managed by three directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board of directors shall consist of A. Horral, H. D. Baker, and F. M. Hodge, who shall continue in office until their successors are decided by a majority in interest of the stockholders in said corporation; and the board of directors thus chosen shall continue in office for one year, or until their successors are elected. If any of the directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else. They may adopt such by-laws and rules, and amend or repeal the same, from time to time, for the government of the corporation and management of its affairs and business,

Who to manage affairs.

First directors, and term of office.

May make by-laws.

1865.
 May open
 books.

Election of
 directors.

Calls on stock.

Where may
 keep office.
 Officers to be
 appointed.

as they deem proper, not inconsistent with the constitution and laws of the State. The said corporators, or any of them, may open books and receive subscriptions to the capital stock of said corporation, and give such notice thereof, times, places, &c., as may be deemed proper. Whenever fifty thousand dollars of the capital stock is subscribed and ten per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year, or until their successors are elected as provided herein; and may make such calls of payment of stock as they may deem proper, not to exceed twenty per cent. every thirty days; and in default of payment, may authorize a forfeiture of stock; they may keep their office at such place or places as they deem to the interest of the company; they may appoint a secretary, treasurer, and other such officers and agents as they may deem necessary, with such compensation as they may fix for services; and by their by-laws regulate the mode of keeping their records; and may use a common seal, and alter the same at pleasure; sue and be sued, and maintain any action, whether as plaintiffs or defendants, in any of the courts of this Commonwealth.

§ 5. No banking privileges are granted by this act, which shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1803.

AN ACT for the benefit of the Dirt Roads in the County of Lincoln.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That hereafter no person in the county of Lincoln shall claim exemption from working on the roads in said county, on account or by reason of said person being the owner of stock in any of the turnpike roads of said county.

§ 2. All laws coming in conflict with this act are hereby repealed; and this act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1804.

AN ACT to amend the charter of the City of Frankfort.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the charter of the city of Frankfort be, and the same is hereby, amended so as to require the judge and marshal of said city to be elected by the qualified

voters of said city, at the same time, and in the same manner that the mayor and council of said city are required by said charter to be elected.

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§ 2. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1805.

AN ACT to authorize the President, Directors, and Company, of the Harrodsburg Savings Institution, to wind up and settle its Affairs.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the president, directors, and company, of the Harrodsburg Savings Institution, shall have, and there is hereby conferred on them, full and ample power to wind up and settle the affairs of said institution upon equitable principles: *Provided*, That the stockholders therein representing a majority of the stock in said institution consent thereto at a meeting of the stockholders which shall be called by the said president, directors, and company, to meet in Harrodsburg, of which twenty days' notice shall be given by printed advertisements placed on the courthouse door in Harrodsburg, and other public places in said town.

§ 2. In winding and settling the affairs of said institution, the said president, directors, and company, shall be governed by equitable principles.

§ 3. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1806.

AN ACT to amend the act, approved January 19, 1865, amendatory of the charter of Catlettsburg.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the second section of an act, entitled "An act to amend the charter of the town of Catlettsburg," approved January 19, 1865, be so amended, that instead of the tax of ten per cent. allowed to be imposed by the trustees of said town on the taxable property, that said trustees shall not have authority to impose any ad valorem tax exceeding ten cents on each one hundred dollars of the value of taxable property.

§ 2. This act shall be in force from its passage.

Approved June 3, 1865.

1865.

CHAPTER 1807.

AN ACT for the benefit of the Sheriff of Green County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That A. C. Cox, sheriff of Green county, be, and is hereby, allowed the further time till September 1, 1865, in addition to the time now allowed by law, to collect and pay in his revenue and return his delinquent list for the year 1864: *Provided, however,* That his sureties consent to the same in open court.

§ 2. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1808.

AN ACT entitled, an act for the benefit of Francis Wright, executor of Richard Bayne, deceased, late of Shelby county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the persons named as devisees in the will of Richard Bayne, deceased, a free man of color, of Shelby county, shall be held and deemed capable of taking, under said will, as fully as though they labored under no disability, and shall have full power to receipt for the same.

§ 2. This act to take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1809.

AN ACT declaring Russell's Creek a navigable stream.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That Russell's creek, a tributary of Green river, be, and is hereby, declared a navigable stream from its mouth to Dehoney's mill, in Adair county.

§ 2. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1810.

AN ACT to incorporate the Burnside Petroleum, Transportation, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That S. Manning, John Custar, D. F. Bush, A. T. Curd, G. C. Freeman, Hiram Hopper, and their successors, be, and they are hereby, created a body-corporate and

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politic, by the name of the Burnside Petroleum, Mining, and Transportation Company, for the term of thirty years, with all powers and authority incident to similar corporations; to make and to have a common seal, and the right to alter and renew at pleasure; to sue and be sued; to be capable, by their corporate name, of purchasing and holding and conveying any estate, real or personal, necessary to enable them to carry on the object of their incorporation as hereinafter mentioned.

§ 2. The corporation is hereby authorized to bore, dig, or mine for petroleum or rock oil, coal, salt, lead, iron, or other valuable minerals, on any lands within the State of Kentucky owned or held by said company, in fee simple or by lease.

§ 3. The capital stock of said company shall be half million dollars, to be divided into ten thousand shares of fifty dollars each, to be issued and transferred in such manner and upon such conditions as the board of directors of said company may determine; and the amount of said capital stock may be increased at any time by votes of stockholders of said company at a meeting called for that purpose, not to exceed one million dollars.

§ 4. The affairs of said company shall be managed by a board of six directors, which may be increased at any time to the number of fifteen by a vote of directors, a majority of whom shall constitute a quorum for the transaction of business; the said directors shall elect one of their number to be president of the company, and no person shall be a director in said company unless he be at the same time a stockholder therein; the first board of directors shall consist of S. Manning, D. F. Bush, John Custar, A. T. Curd, G. C. Freeman, Hiram Hopper, who shall continue in office until their successors are elected by a majority in interest of the stockholders, who shall continue in office for one year or until their successors are elected and qualified; if any of the above named directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else; they may adopt such by-laws, rules, and regulations for the government of the said company and management of its affairs and business as they may deem proper, not inconsistent with the laws of the State. The said corporators, or any of them, may open books of subscription and receive subscription to the capital stock of the Burnside Petroleum, Mining, and Transportation Company herein incorporated, and such books of subscription may be opened, and subscription received, at such times and places, and upon such notice thereof, as any three of said corporators may deem right and proper.

1865.

§ 5. The said company are further authorized to erect proper warehouses and other buildings and machinery for the storage, refining, and bonding of petroleum, and the storage of coal and other minerals, at such place or places as may be necessary for the prosecution of their business, and provide for the transportation of oil, coal, salt, or other valuable minerals to market; and for this purpose the said company are hereby invested with right and power to construct railroads, to acquire land necessary for the right of any such roads and other improvements, in the same manner that turnpike road companies are authorized to acquire the right of way by the Revised Statutes of Kentucky, and to have all rights and privileges conferred upon other corporations for similar purposes in this Commonwealth.

§ 6. The board of directors of said company are hereby authorized to open offices for their business at such place or places as they may deem proper, and to make such laws to regulate the issuing and transferring of stock at their principal office as they may deem proper. That nothing in this act shall be so construed as to confer banking powers or privileges.

§ 7. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1811.

AN ACT to incorporate the Hardin's Creek Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators'
names, and cor-
porate powers.

§ 1. That John R. Thomas, and his associates and successors, be, and they are hereby, created a body corporate and politic, by the name of "The Hardin's Creek Petroleum Company," with all the powers and authority incident to corporators and corporations, for the purpose hereinafter mentioned; and with all the general and special powers, privileges, and immunities, which have been and may be granted by this General Assembly to any corporation or corporations chartered for similar purposes.

May acquire
lands, &c.

§ 2. The corporation is hereby authorized and empowered to purchase, sell, hold, and dispose of lands, in fee simple and by lease, for mining and boring for petroleum and other oils and minerals of whatsoever kind, and to manufacture, refine, transport, and vend the same.

Capital stock.

§ 3. The capital stock of the corporation to be five hundred thousand dollars, with the privilege to be increased to one million dollars, the stock to be divided into shares of not less than five nor more than five hundred dollars each; which shares may be issued and transferred in such man-

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ner and upon such conditions and under such rules of forfeiture for non-payment of calls and assessments, as the board of directors of said corporation may direct; and the liability of shareholders shall extend to and be limited by the amount of stock held by them respectively.

§ 4. The affairs of said corporation shall be managed by three or more directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; the first board of directors shall consist of the aforementioned corporator, and any two persons he may select or associate with him, who shall continue in office for one year or until their successors are elected by a majority in interest of the stockholders of said corporation, which said corporation may exist in perpetuity; and the directors thus elected, and their successors in perpetual succession, shall continue in office for one year, and until their successors are elected and enter upon their duties; if any of the above named directors shall decline or refuse to act, a majority of those remaining shall have the power to fill such vacancy; they may adopt such by-laws and rules for the government of the corporation and management of its affairs as they may deem proper, not inconsistent with the constitution of the State and of the United States; the said corporators, or any of them, may open books for and receive subscriptions to the capital stock of said company hereby incorporated, at such times and places, upon such notice, and coupled with such conditions, as the board of directors may determine; the board of directors of said corporation may fill vacancies occasioned by death, resignation, or otherwise; they may make such call for the payment of stock as they may deem proper, and, in event of non-payment, may forfeit the stock of the defaulting shareholder, or collect the same by suit, as they may elect; right of way is hereby granted to said corporation over any lands, and on and along any water courses within the State, with power and authority to condemn the same to their use, in the same manner, and subject to such restrictions, as are and have been given to, and imposed upon any corporation heretofore chartered by the General Assembly of Kentucky; and with power and authority to construct and operate over the right of way thus granted common and turnpike roads and railroads, and to build and maintain, on and along such water courses, locks and dams and other fixtures and appliances for slack-water navigation, to and from and between the site or sites of their mines and oil wells and the markets for the sale and storage of their products, and to and from and between such mines and oil wells and the reliably navigable waters within and bordering upon the State; with the right, power, and authority, when such roads, railroads, and improved navigation shall be used by any other

Who to manage affairs.

First board of directors.

May make by-laws.

May open books.

Vacancies.

Calls on stock.

Further powers.

1865.

Where may
keep office.Officers to be
appointed.

party or parties for travel or traffic, to charge for such use such reasonable rates of toll or carriage as the board of directors may determine, not exceeding the rates permitted by law to be charged by other corporations specially chartered for and authorized to furnish and perform similar facilities and services; the board of directors may keep their office or offices at such place or places as the interest of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such other officers as they may deem necessary, and fix their compensation; and by their by-laws regulate the mode of keeping their records, to insure a just exhibit and administration of their affairs.

§ 5. Nothing in this charter shall be construed as conferring banking privileges.

§ 6. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1812.

AN ACT to incorporate the Omega Petroleum, Oil, Mineral, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

Corporators'
names, and cor-
porate powers.

§ 1. That Andrew Graham, C. N. Warren, George W. Wicks, Thomas P. Hughes, H. H. Timberlake, A. M. Gazlay, W. C. Munger, S. K. Turner, Philip Judge, P. H. Myers, C. B. Smith, L. B. Dunham, T. A. Harrow, and B. J. Thurston, and their associates, successors, and assigns, be, and they are hereby, constituted a body-corporate and politic, by the name and style of the Omega Petroleum, Oil, Mineral, and Manufacturing Company, and by that name and style shall have perpetual succession, with power to contract and be contracted with, and sue and be sued, in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals, and in the manufacturing, refining, preparing for market, transporting, and selling oil and salt and other products of said business, and of the lands now owned or which may hereafter be owned by them in this State; and of selling or assigning the personal or real estate or stock of said company, as they may deem advisable; to hold their meetings and transport and sell their oil, salt, and other products, within or without the State; and to have all the powers needful and proper for the successful prosecution of their business and for the execution of the powers herein granted.

§ 2. That said corporators, or a majority of them, may organize said company by the appointment of a president, and such other officers and managers as they may deem necessary, at such time, and as they may designate by notice previously given; and when thus organized, the said company shall have power to make such by-laws, rules, and regulations, as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the constitution and laws of the United States or this State.

1865.
Organization
of company.

§ 3. The capital stock of said company shall be one million dollars; and said company shall have power to increase the same, from time to time, not exceeding three million five hundred thousand dollars.

Capital stock.

§ 4. The said company may buy, lease, or rent any suitable lands, mines, oil, coal, iron, and salt rights, lands and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise. They may receive real estate, leaseholds, mining and boring rights, and rights of way in payment of such part of the subscription to stock as they may deem advisable. Said company may erect and build on any of their lands such buildings, engines, machinery, and other fixtures, as may be deemed convenient and proper for carrying on and conducting the business of said corporation. Nothing contained in this bill shall be so construed as conferring banking privileges.

May acquire
lands.

§ 5. This act shall take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1813.

AN ACT to incorporate the Green River Petroleum and Transportation Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That G. B. Hughes, and his associates and successors, be, and is hereby, created a body-corporate and politic, by the name of the "Green River Kentucky Petroleum and Transportation Company," with all the powers and authority incident to corporators and corporations, for the purposes hereinafter mentioned; and with all the general and special powers, privileges, and immunities which have been or may be granted by this General Assembly to any corporators or corporations chartered for similar purposes.

§ 2. This corporation is hereby authorized and empowered to purchase, sell, hold, and dispose of lands, in fee

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simple and by lease, for mining and boring for petroleum and other oils and minerals of whatsoever kind, and to manufacture, refine, transport, and vend the same.

§ 3. The capital stock of the corporation shall be divided into shares of not less than five nor more than three hundred dollars each, which shares may be issued and transferred in such manner, and upon such conditions, and subject to such rules of forfeiture for non-payment of calls and assessments, as the board of directors of such corporation may direct; and the liability of shareholders shall extend to and be limited by the amount held by them respectively.

§ 4. The affairs of said corporation shall be managed by three or more directors, one of whom shall be president. The first board of directors shall consist of G. B. Hughes and two others, who are hereafter to be selected, and who shall hold their office for one year, or until their successors are elected by a majority of the stockholding interest of said corporation, which said corporation may exist in perpetuity; and the directors so elected, and their successors in perpetual succession, shall continue in office for one year, and until their successors shall be elected and enter upon their duties. If any of the above named directors do not act, a majority of those in interest remaining shall have power to fill such vacancy; they may adopt such by-laws and rules for the government of the corporation and management of its affairs as they may deem proper, not inconsistent with the constitution of this State and of the United States. The said corporators, or any of them, may open books for the subscription to the capital stock of said company hereby incorporated, at such times and places, upon such notice, and coupled with such conditions, as the board of directors may determine; and, further, they may fill any vacancies occasioned by death, resignation, or otherwise; they may further make such call for the payment of stock as they may deem proper; and in case of non-payment, may forfeit the stock of the defaulting shareholder, collect it by suit as they may elect; right of way is hereby granted said corporation over any lands, and on and along any water-courses within the State, with full power and authority to condemn the same to their use in the same manner, and subject to such restrictions, as are prescribed by the Revised Statutes; and with power and authority to construct and operate over the right of way thus granted common and turnpike roads and railroads, and to build and maintain on and along such water-courses locks and dams, and such other appliances and fixtures for slack water navigation to and from the site or sites of their mines or wells and to any point for the shipping of their products on any navigable water

within or bordering on the State of Kentucky, or to any point for the storage or sale of their products, with the right, power, and authority, whenever such roads, railroads, or improved water navigation is used by any other parties for travel or traffic, to charge such reasonable rates of toll or carriage as to them shall seem proper, not exceeding the rates permitted by law to be charged by other corporations specially chartered for and authorized to furnish and perform similar services. The board of directors may keep their office or offices at such place or places as the interests of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such other officers as they may deem necessary, and fix their compensation, and by their by-laws regulate the mode of keeping their accounts and records so as to insure a just exhibit and administration of their affairs.

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§ 5. Nothing contained in this charter shall be construed so as to confer banking or lottery privileges upon the corporation.

§ 6. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1814.

AN ACT to incorporate the Southern Kentucky Working Interest Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That E. R. Felton, George R. Munson, and H. M. Blackburn, and their associates, are created a body-politic and corporate, with perpetual succession, by the name of the "Southern Kentucky Working Interest Petroleum Company," and by that name may contract and be contracted with, sue and be sued, in all courts in this Commonwealth; may adopt a common seal, and alter and change the same at pleasure; may purchase, lease, and own real estate, mining interests, roads, wharves, and all other property, real and personal, which may be necessary for the prosecution of their business. Said company shall have power to buy and sell lands, leases, and mining interests, to any person or corporation; may pay for the same in stocks of said company by contract; shall have power to open oil and salt wells; may mine for coal and all other minerals, oils, and volatile substances; may manufacture and refine the same, transport the same to any market; and to that end may erect all manner of workshops, machine shops, and other houses and buildings deemed necessary in the prosecution of their business; may own boats, wharves, and turnpikes, railroads, and may

1865. build and establish the same to such points as may be deemed to the interest of said company.

§ 2. Said company may organize at any time, and at said organization may elect five directors, who shall constitute a board of directors, which board may choose a president, secretary, treasurer, and such other officers, managers, and agents as may be deemed necessary. Said board shall have the management of the affairs of said company, and shall have power to establish all by-laws, rules, and regulations for the government of the company, provided the same are consistent with the laws of the land. An annual election shall be held for the election of directors at the chief office of said company; and each stockholder shall have as many votes as he owns stock in said company, and may vote by proxy. If no election is held, as herein provided, the board shall fix a time for said election, and shall give twenty days' notice in a paper published nearest said office.

§ 3. The capital stock of said company shall not exceed fifty thousand dollars, unless by consent of the stockholders, who, by vote, may augment the same, from time to time, not, however, exceeding one million of dollars. The board may open books for subscription of stock, shares of which shall not be less than ten dollars; and shall be deemed personal property. The board may make all needful regulations for the issuing of stock, transfer of same, and determine the mode and manner and time of payment of all subscriptions therefor.

§ 4. The board may establish the chief office at such place as may be deemed judicious, and may change the same from time to time; may establish branch offices in or out of the State; and appoint executive committee or committees, in or out of the State.

§ 5. This act to take effect from its passage; the Legislature retains power to amend and alter this act. No banking privilege is allowed said company.

Approved June 3, 1865.

CHAPTER 1815.

AN ACT to incorporate the Point Burnside Petroleum Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Edward Richardson, James Haiden, L. B. Porch, and E. L. VanWinkle, and their associates, be created a body-politic and corporate, by the name of the Point Burnside Petroleum Company, and by that name may contract and be contracted with, sue and be sued, in all courts in this Commonwealth; may have a common

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seal, alter and change the same; may buy, lease, and own real estate, leases, and mining interests; may sell and convey the same to any person or corporation; may pay for lands, leases, and mining privileges in stocks of said company; may open mines, oil wells and salt wells; may mine for all manner of minerals, and transport the same to market; may open and bore wells for oil; may refine and market the same; may erect all manner of buildings, workshops, and machines for the business of said company, and shall have all the powers and privileges granted to the Southern Kentucky Working Interest Petroleum Company. The provisions of the act incorporating said last named company are made applicable to the company incorporated by this act; and all the powers and restrictions of the same are hereby conferred upon the Point Burnside Petroleum Company.

§ 2. No banking privilege is allowed by this act; this act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1816.

AN ACT to incorporate the Olmstead Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That D. B. Hutchings, John B. Hansbrough, and T. D. Fox, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of "Olmstead Oil and Mining Company," and by that name and style shall have perpetual succession, with power to contract and be contracted with, sue and be sued, in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals; and in the manufacturing, refining, preparing for market, transporting, and selling oil and salt, and other products of said business, and of the lands now owned or which may hereafter be owned by them in this State; to hold their meetings, and transport and sell their oil, salt, and other products within or without the State; and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

§ 2. The said corporators may organize said company by the appointment of a president and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given; and when thus organized, the said company shall have power to make such by-laws, rules, and regulations

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as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the constitution and laws of the United States and of this State.

§ 3. The capital stock of said company shall be five hundred thousand dollars, and said company shall have power to increase the same, from time to time, not exceeding one million dollars.

§ 4. The said company may buy, lease, or rent any suitable lands, mines, oil and salt rights and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise; they may receive real estate, leasehold, mining and boring rights, and rights of way, in payment of such part of subscriptions as they may deem advisable; said company may erect and build on any of their land such buildings, engines, machinery, and fixtures as may be deemed convenient and proper for carrying on and conducting the business of said corporation.

§ 5. This act shall take effect from and after its passage; and the right to repeal, alter, or amend this charter is reserved to the General Assembly.

Approved June 3, 1865.

CHAPTER 1817.

AN ACT to incorporate the Brumfield and Hope Turnpike Road Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That James Brumfield, S. P. Burton, A. H. Tucker, J. B. Lobmore, Ben. Crow, Joseph Fleece, and J. Broyles, be, and they and their successors in office shall be, a corporate body-politic, by the name and style of the "Brumfield and Hope turnpike road company," and by that name to sue and be sued; adopt and use a common seal; receive all subscriptions of stock, and acquire all property necessary and proper to make and construct a turnpike road from a point on the Clark's Run and Salt River turnpike, on James Brumfield's farm, in Boyle county, running thence by the most practicable route to intersect the Perryville and Union Meeting-house turnpike road, at or near the widow Hope's farm residence in said county.

§ 2. The capital stock of said company shall be not exceeding fifty thousand dollars, divided into shares of fifty dollars; and if the same be not sufficient, then the same may be enlarged by the president and managers of said road up to a sum sufficient to make said road.

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§ 3. The above named persons are hereby appointed commissioners to open books for and receive subscriptions to said road in any place in Kentucky.

§ 4. As soon as ten thousand dollars has been subscribed the said commissioners, or a majority, may, on public notice having been given twice in a newspaper printed at Danville, and printed or written notices having been placed on two or more public places in Perryville, of a meeting for that purpose, hold a meeting at any place designated in Boyle county, for the election of a president and six managers, who shall hold their offices for one year, and until their successors shall have been elected and qualified. The provisions of the fourth section of the act incorporating the Danville and Hustonsville turnpike road company are made applicable and hereby extended to this company hereby authorized to be formed; also, that the sections of said act incorporating said Danville and Hustonsville turnpike road company, inclusive, from 5th to the 35th sections, are made applicable to the Brumfield and Hope turnpike road company.

§ 5. This act to take effect from and after the date of its passage.

Approved June 3, 1865.

CHAPTER 1818.

AN ACT to incorporate the Lost Creek Petroleum, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That T. M. Conditt, E. G. Phelps, and William Berry, their associates, successors, and assigns, be, and they are hereby, created a body-corporate and politic, by the name of the "Lost Creek Petroleum, Mining, and Manufacturing Company," with all the powers incident to corporations, or hitherto granted any corporation within this Commonwealth, for the purposes hereinafter mentioned.

§ 2. The corporation is hereby authorized and empowered to purchase and hold lands, in fee simple and by lease, for mining and boring for petroleum and other oils, salt, &c., mining coal, iron, zinc, copper, lead, and other minerals, to refine, ship, and vend the same, and to cut, raft, or float the timber from said lands, or build boats and flats of all kinds, mills, or other buildings, fixtures, and machinery, deemed proper, in order to further the operations of said corporation, or dispose of any portion or portions of its territory, or other property deemed advisable, and convey the same by deed or otherwise.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of not less

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than ten nor more than one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct; and the capital stock may be increased if deemed proper; and the shares of stock in said company shall be deemed and held as personal estate.

§ 4. The affairs of said company shall be managed by three directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; and the first board of directors shall consist of T. M. Conditt, E. G. Phelps, and William Berry, who shall continue in office until their successors are elected by a majority in interest of the stockholders of said corporation; and the board of directors thus chosen shall continue in office one year or until their successors are elected; if any of the directors shall decline or refuse to act, a majority of the others shall fill the vacancy by appointing some one else; they may adopt such by-laws and rules, and alter, amend, or repeal the same, from time to time, for the government of the corporation, and the management of its affairs and business, as they deem proper, not inconsistent with the constitution and laws of this State. The said corporation, or any of them, may open books and receive subscriptions to the capital stock of said company, and give such notice thereof, times, places, &c., as may be deemed proper; whenever fifty thousand dollars of the capital stock is subscribed, and ten per cent. thereof paid in, notice may be given of the time and place of the election of a new board of directors, who shall hold office for one year or until their successors are elected, as provided herein; and may make such calls of payment of stock as they may deem proper, not to exceed twenty per cent. for every thirty days; and in default of payment, the by-laws of said corporation may authorize a forfeiture of stock; they may keep their office at such place or places as they may deem to the interest of the corporation; they may appoint a secretary, treasurer, superintendent, and such other officers and agents as they may deem necessary, with such compensation for services as they may fix; and by their by-laws regulate and fix the mode of keeping their records; and may use a common seal, and alter the same at pleasure; and sue and be sued, and maintain any action, whether as plaintiff or defendant, in any of the courts of this Commonwealth.

§ 5. No banking privileges are granted by this act, which shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1819.

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AN ACT to incorporate the Gordonsville Oil and Mining Company. .

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That R. T. Young, John G. Hansbrough, T. D. Fox, and D. B. Hutchings, their associates, successors, and assigns, be, and they are hereby, constituted a body-corporate and politic, by the name and style of the Gordonsville Oil and Mining Company, and by that name and style shall have perpetual succession, with power to contract and be contracted with, sue and be sued, in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals, and in the manufacturing, refining, preparing for market, transporting, and selling oil and salt and other products of said business, and of the lands now owned or which hereafter may be owned by them in this State; to hold their meetings and transport and sell their oil, salt, and other products within or without the State; and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

§ 2. That said corporators may organize said company by the appointment of a president and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given, and when thus organized, said company shall have power to make such by-laws, rules, and regulations, as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the constitution and laws of the United States and of this State.

§ 3. The capital stock of this company shall be five hundred thousand dollars, and said company shall have power to increase the same, from time to time, not exceeding one million dollars.

§ 4. The said company may buy, lease, or rent any suitable lands, mines, oil and salt rights and privileges, rights of way and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise; they may receive real estate, leaseholds, mining and boring rights, rights of way, in payment of such part of subscriptions as they may deem advisable; said company may erect and build on any of their lands such buildings, engines, machinery, and fixtures, as may be deemed convenient and proper for carrying on and conducting the business of said corporation.

§ 5. That this act shall take effect from and after its passage; and the right to repeal, alter, or amend this

1865. charter is reserved to the General Assembly; and nothing in this act shall be so construed as to confer banking privileges.

Approved June 3, 1865.

CHAPTER 1820.

AN ACT to incorporate the Kentucky and New York Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Corporators' names, and corporate powers.

§ 1. That J. Mansfield Davies, Wm. Kidd, and Thomas D. Robinson, and their associates and successors, be, and they are hereby, created a body-politic and corporate, by the name and style of "Kentucky and New York Oil and Mining Company," with perpetual succession and power, under the said name and style, to contract and be contracted with, sue and be sued, answer and be answered, plead and be impleaded, in all courts and places, as a natural person; and to make, have, and use a common seal, and to break or alter the same at pleasure; and the said company shall have the right to institute and enforce all necessary by-laws, rules, and regulations for its own government, and for the conduct of its business, not inconsistent with the constitution and laws of this State or the United States.

Further powers.

§ 2. The said company shall have power to purchase, lease, acquire, and hold such real estate, in the State of Kentucky and elsewhere, by lease, in fee simple, or otherwise, and such oil and mineral privileges, rights of way, and other easements, as it may deem necessary or expedient for its business; and to sell and convey, or sub-let the same, or any part thereof, or interest therein, if deemed proper; and shall have power to dig, bore, mine, and in any other manner search for rock or carbon oil, and other volatile substances, coal, salt, iron, lead, and any and all other mineral products or deposits in the earth; and to extract, remove, take out, develop, smelt, and refine, reduce, manufacture, purchase, and prepare for market any or all of said mineral products, oils, and deposits, and transport and sell the same in or out of this State; and it shall have power to buy and hold, erect or construct, all such buildings, machinery, tools, fixtures, and personal property of every kind and description whatever, deemed necessary or proper in carrying on said business or any part thereof, and to make and construct all such roads and bridges as may be deemed necessary for the use and convenience of said company.

Principal office.

§ 3. The said company must open and keep its principal office in this State; and may raise or borrow money

upon such bonds, notes, or other evidences of debt, as the board of directors may order to be issued or executed, in such sums, and at such times and places, and at such rate of interest, as may be deemed advisable; and it may execute and deliver mortgages or other securities upon any or all of its property for the payment of such debts as may be, from time to time, created.

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May borrow money.

§ 4. The capital stock of said company shall not exceed five millions of dollars, to be divided into such number of shares as the board of directors may determine, which shares shall be personal property, and shall be evidenced and transferred as prescribed by the by-laws, rules, and regulations of the company. The board of directors may fix the capital stock, at first, at a less sum than five millions of dollars, and increase the same, from time to time, as may be deemed expedient, but not to an amount exceeding the sum aforesaid. The said corporators named in the first section of this act shall constitute the board of directors of said company until their successors should be chosen as hereinafter prescribed; and they, or a majority of them, shall have power immediately to open books for the subscription of stock, and prescribe in the contract of subscription the manner and time of payment, and the manner and grounds of forfeiture of such stock as may be subscribed and not paid for as required on call; and when an amount shall be subscribed sufficient in their judgment to enable the said company to proceed to business, they shall call a meeting of the stockholders at such place as they may designate, to elect a board of directors and other officers of said company, which board of directors shall consist of not less than five nor more than nine persons, and shall continue in office for one year, and until their successors are chosen. At such meeting the stockholders may select a president, secretary, and treasurer, and other inferior officers of said company, or they may leave the appointment of such officers to the board of directors, as may be deemed most expedient. The president, secretary, treasurer, and other inferior officers, shall receive such salary, hold their offices for such terms, and perform such duties, as may be prescribed by the by-laws, rules, and regulations of the company; and they, or either of them, may be required to give bond and security for the faithful discharge of the duties of their respective positions. But nothing contained in any by-law, rule, or regulation, shall be so construed as to prevent the board of directors from removing any such officer before the expiration of his term of office, if in the judgment of said board the interests of the company require such removal; and in the event of any such removal, such officer shall be entitled to compensation only for the time he has actually served.

Capital stock.

First board of directors.

When to commence business, and elect directors.

Officers to be appointed.

Salaries— term of office, &c.

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Vacancies.

§ 5. The board of directors, or such number thereof as may constitute a quorum for the transaction of business, according to the by-laws, rules, and regulations of the company, shall have power to fill all vacancies in any office occurring between the times fixed for regular elections.

How stock
voted.

§ 6. Each share of stock shall entitle the holder or holders thereof to one vote at all meetings and elections held by the stockholders, and such vote must be cast by the holder or holders in person, or by virtue of a written proxy signed by him or them; and no person shall be voted for or hold the office of president or director unless he shall be at the time in good faith, and in his own name, a stockholder in said company.

§ 7. This act shall take effect from and after its passage; and nothing in it shall be so construed as to confer banking privileges on the corporation.

Approved June 3, 1865.

CHAPTER 1821.

AN ACT to incorporate the Alpha Oil, Coal, Salt, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Andrew Graham, C. N. Warren, George W. Wicks, Thomas P. Hughes, H. H. Timberlake, A. M. Gazlay, W. C. Munger, S. K. Turner, Philip Judge, P. H. Myers, C. B. Smith, L. B. Dunham, T. A. Harrow, and B. J. Thurston, and their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Alpha Oil, Coal, Salt, and Mining Company," and by that name and style shall have perpetual succession, with power to contract and be contracted with, and sue and be sued in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals, and in the manufacturing, refining, preparing for market, transporting and selling oil and salt, and other products of said business, and of the lands now owned or which may hereafter be owned by them in this State, and of selling or assigning the personal or real estate, or stock of said company, as they may deem advisable; to hold their meetings and transport and sell their oil, salt, and other products, within or without the State; and to have all the powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

§ 2. That said corporation, or a majority of them, may organize said company by the appointment of a president

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and such other officers and managers as they may deem necessary, at such time, and as they may designate by notice previously given; and when thus organized, the said company shall have power to make such by-laws, rules, and regulations, as they may deem necessary, from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the constitution and laws of the United States or of this State.

§ 3. The capital stock of said company shall be one million dollars; and said company shall have power to increase the same, from time to time, not exceeding three million five hundred thousand dollars.

§ 4. The said company may buy, lease, or rent any suitable lands, mines, oil, salt, iron, and coal rights, lands and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise. They may receive real estate, leaseholds, mining and boring rights, and rights of way, in payment of such part of the subscription to stock, as they may deem advisable. Said company may erect and build on any of their lands such buildings, engines, machinery, and other fixtures, as may be deemed convenient and proper for carrying on and conducting the business of said corporation. Nothing contained in this shall be so construed as to confer banking privileges.

§ 5. This act shall take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1822.

AN ACT to incorporate the Licking Valley Cannel Coal, Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That John A. Kirkpatric, Samuel F. January, and Jonathan S. Smith, and their associates and successors, be, and they are hereby, created a body-corporate and politic, by the name of the Licking Valley Cannal Coal, Oil, Mining, and Manufacturing Company, with all the powers and authority incident to corporators and corporations, for the purposes hereinafter mentioned; and with all the general and special powers, privileges, and immunities, which have been and may be granted by this General Assembly to any corporation or corporations chartered for similar purposes.

§ 2. The corporation is hereby authorized and empowered to purchase, sell, hold, and dispose of lands, in fee simple and by lease, for mining and boring for petroleum and

Corporators' names, and corporate powers.

May acquire real estate.

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other oils and minerals, of whatsoever kind, and to manufacture, refine, transport, and vend the same.

Capital stock.

§ 3. The capital stock of the corporation shall not exceed one million of dollars, to be divided into shares of not less than five nor more than five hundred dollars each; of which shares may be issued and transferred in such manner, and upon such conditions, and under such rules of forfeiture for non-payment of calls of assessment, as the board of directors of such corporation may direct; and the liability of shareholders shall extend to and be limited by the amount of stock held by them respectively.

Who to manage affairs of corporation.
First directors, and term of office.

§ 4. The affairs of said corporation shall be managed by three or more directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; the first board of directors shall consist of John A. Kirkpatrick, Samuel F. January, and Jonathan S. Smith, who shall continue in office for one year, or until their successors are elected by a majority in interest of the stockholders of said corporation, which said corporation may exist in perpetuity; and the directors thus elected, and their successors in perpetual succession, shall continue in office for one year, and until their successors are elected and enter upon their duties. If any of the above named directors shall decline or refuse to act, a majority of those remaining

May make by-laws.

shall have power to fill such vacancy; they may adopt such by-laws and rules for the government of the corporation and management of its affairs as they may deem proper, not inconsistent with the constitution of the State or the United States. The said corporators, or any of

May open books.

them, may open books for and receive subscriptions to the capital stock of said company hereby incorporated, at such times and places, and upon such notice, and coupled with such conditions, as the board of directors may determine; the board of directors of such corporation may fill vacancies occasioned by death, resignation, or otherwise; they

Calls on stock.

may make such calls for the payment of stock as they may deem proper; and in the event of non-payment, may forfeit the stock of the defaulting shareholder, or collect the same by suit, as they may elect. Right of way is hereby

Further powers.

granted to said corporation over any lands and on and along any water courses within the State, with power and authority to condemn the same to their use, in the same manner and subject to such restrictions as are and have been given to and imposed upon any corporation heretofore chartered by the General Assembly of Kentucky; and with power and authority to construct and operate over the right of way thus granted common and turnpike roads and railroads; and to build and maintain on and along such water courses locks and dams, and other fixtures and appliances for slack water navigation to and from and

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between the site or sites of their mines and oil wells and the markets for the sale and storage of their products, and to and from and between such mines and oil wells and the reliably navigable waters within and bordering upon the State; with the right, power, and authority, when such roads, railroads, and improved navigation shall be used by any other party or parties for travel or traffic, to charge for such use such reasonable rates of toll or carriage as the board of directors may determine, not exceeding the rates permitted by law to be charged by other corporations specially chartered for and authorized to furnish and perform similar facilities and services. The board of directors may keep their office or offices at such place or places as the interests of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such other officers as they shall deem necessary, and fix their compensation; and by their by-laws regulate the mode of keeping their records to insure a just exhibit and administration of their affairs.

Office where kept.

Officers to be appointed.

§ 5. Nothing contained in this charter shall be construed as conferring banking privileges upon this corporation.

§ 6. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1823.

AN ACT to incorporate the Hardin County, Kentucky, Petroleum, Coal, and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Jason Ham and Edward K. Hart, and their associates and successors, be, and they are hereby, created a body-corporate and politic, by the name of the Hardin County, Kentucky, Petroleum, Coal, and Mining Company, with all the powers and authority incident to corporators and corporations, for the purposes hereinafter mentioned, and with all the general and special powers, privileges, and immunities which have been and may be granted by this General Assembly to any corporations or corporators chartered for similar purposes.

§ 2. The corporation is hereby authorized and empowered to purchase, hold, sell, and dispose of lands, in fee simple and by lease, for mining and boring for petroleum, coal, or other minerals, of whatsoever kind, and to manufacture, refine, transport, and vend the same.

§ 3. The capital stock of said corporation shall be divided into shares of not less than five nor more than five hundred dollars each, which shares may be issued and transferred in such manner and upon such conditions and

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under such rules of forfeiture for non-payment of calls and assessments as the board of directors of such corporation may direct; and the liability of shareholders shall extend to and be limited by the amount held by them respectively.

§ 4. The affairs of said corporation shall be managed by three or more directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; the first board of directors shall consist of Jason Ham and Edward K. Hart, and the third to be chosen by the two above named, who shall continue in office for one year or until their successors are elected by a majority of the stockholding interest of said corporation, which said corporation may exist in perpetuity; and the directors so elected, and their successors in perpetual succession, shall continue in office for one year and until their successors shall be elected and enter upon their official duties; if any of the above named directors shall decline or refuse to act, a majority in interest of those remaining shall have power to fill such vacancy; they may adopt such by-laws and rules for the government of the corporation and the management of its affairs as they may deem proper, not inconsistent with the constitution of this State and of the United States. The said corporators, or any of them, may open books for and receive subscriptions to the capital stock of said company hereby incorporated, at such times and places, and upon such notice, and coupled with such conditions, as the board of directors may determine. The board of directors of such corporation may fill vacancies occasioned by death, resignation, or otherwise; they may make such call for the payment of stock as they may deem proper; and in event of non-payment, may forfeit the stock of the defaulting shareholder, or collect the same by suit, as they may elect; right of way is hereby granted said corporation over any lands and on and along any water courses within the State, with power and authority to condemn the same to their use, and with power and authority to construct and operate over the right of way thus granted common and turnpike roads and railroads; and to build and construct and maintain on and along such water courses locks and dams and other fixtures and appliances for slack water navigation to and from and between the site or sites of their mines or wells and the markets for the sale, storage, or shipping of their products, or between the site or sites of their mines or wells and the navigable waters within or bordering on the State of Kentucky, with the right, power, and authority, when such roads, railroads, and improved navigation shall be used by any other party or parties for travel or traffic, to charge for such use such reasonable rates of toll or carriage as the board of directors may

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determine, not exceeding the rates permitted by law to be charged by other corporations specially chartered for the same purpose, and authorized to furnish the same or similar facilities. The board of directors may keep their office or offices at such place or places as the interests of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such other officers as they may deem necessary, and fix their compensation, and by their by-laws regulate the mode of keeping their records to insure a just exhibit of their affairs and the administration thereof.

§ 5. Nothing contained in this charter shall be construed to confer banking or lottery privileges upon the corporation.

§ 6. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1824.

AN ACT to incorporate the Olford American Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. B. Belknap, J. S. Newberry, W. C. Culbertson, A. J. Alexander, and their successors, shall be, and they are hereby, made a body corporate, under the name of the "Olford American Oil Company," and by that name shall be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded, in all courts whatsoever, for the purpose of transacting any and all business connected with mining for oil, salt, or any other minerals, and may do anything deemed advantageous connected with said business; may build and construct all machinery and buildings useful or advantageous in boring or rectifying the oil, or preparing any other minerals for market; make, build all vats, barrels, or vessels necessary or useful in conducting said business or transporting the minerals to market; may, in their corporate capacity, buy, sell, or transport any minerals, including salt, oil, and coal; may make any bonds, notes, mortgages, or writings from said corporation to any other party or parties; may execute mortgages for the security of money borrowed, or for any purposes deemed necessary; may have and use a common seal, change, alter, and renew the same at pleasure.

§ 2. The said corporation hereby created may be capable to acquire, purchase, have, hold, receive, lease, and enjoy, and again sell and dispose of, any and all real estate necessary or useful in conducting their business, and such other real estate as may have been mortgaged or pledged

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to them for security, or conveyed to them in satisfaction for debts, or purchased at sale upon judgments.

§ 3. The stock, property, and concerns of said corporation shall be managed and controlled by a board of not less than four directors, being stockholders, one of whom shall be president, and hold his office for one year; directors shall be chosen on the first Monday in July, in each and every year, at such time and place as may be directed by the by-laws of said corporation; and public notice shall be given in one or more newspapers published in Covington or Louisville ten days previous to said election; stockholders shall be entitled to vote at such election in person or by proxy, as he or she shall hold shares in the capital stock of said corporation. The persons having received in such election the greatest number of votes, and being stockholders, shall be directors; directors chosen at one election shall be capable of serving, by virtue thereof, until another election shall have been held. The directors so chosen may appoint such officers and superintendents, and assign such compensation as they deem fit, not less than a majority of said directors being present when the same is done. All vacancies occurring by death, resignation, or otherwise, shall be filled by others, chosen by the remainder of the directors for the time being, or a majority of them. W. B. Belknap, J. S. Newberry, W. C. Culbertson, and A. J. Alexander shall be the first directors for said corporation, and shall hold their office until the first Monday of July next, and until others are legally chosen.

§ 4. The capital stock of said corporation shall not exceed the sum of one million dollars, which shall be divided into such shares, and transferable in such a manner, as the by-laws of the said corporation may prescribe; but so soon as twenty-five thousand dollars of said capital stock shall have been subscribed, it shall be lawful for said corporation to commence business, or any part of said business; and with that capital to conduct and carry it on until they shall deem it expedient to extend the same; it shall be lawful for the directors of said corporation, or a majority of them, to call for and demand from the stockholders respectively all such sums of money by them subscribed, at such times and in such proportions as they shall deem proper, under pain of forfeiting the shares of such stockholders and all previous payments thereon, if such payments shall not be made within thirty days after the time fixed for that purpose, by public notice previously published for the space of thirty days in one or more newspapers, designating the proportion of such payment for shares of stock, and the time and place when, and the officer to whom, the payment is required to be made.

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§ 5. The books for the subscription of said stock shall be opened in the city of Louisville, and at such other places as the directors may deem proper, and remain open until the sum required shall be subscribed, or for any required number of days, under the direction of the board of directors, or such of them as may be appointed for that purpose by the board.

§ 6. The stock and property of said corporation, of whatever name and kind, shall be deemed personal estate; and that no dividend shall be made to and among the stockholders, except from and out of the net profits of said corporation.

§ 7. In case it shall, at any time, happen that an election shall not be made upon the day designated by this act for that purpose, the said corporation shall not, for that cause, be dissolved, but it shall be lawful to hold such election on such other days as shall be prescribed by the by-laws of said corporation.

§ 8. A majority of the directors, for the time being, shall form a board for the transaction of the business of the said corporation, and shall have power to enforce such by-laws and regulations as they shall deem expedient for the government, management, and disposition of the stock, effects, profits, and concerns of said corporation: *Provided*, The same are not contrary to the laws of the United States or this State.

§ 9. The directors shall, at all times, keep or cause to be kept proper books, in which shall be regularly entered all transactions and business of the said corporation.

§ 10. The said corporation may be dissolved at and by a general meeting of the stockholders summoned for that purpose: *Provided*, That at least three fourths of the stock in value shall be present or represented therein; and upon such dissolution, the directors, for the time being, and the survivors of them, shall be trustees for settling the affairs of said corporation, disposing of its effects, recovering the claims, and paying its debts, and dividing the surplus among the stockholders in proportion to their respective interest in the stock, unless the stockholders at such general meeting shall appoint other persons, not less than two or more than four in number, for such purpose, in which case the persons so appointed, and the survivors of them, shall be trustees for said purpose.

§ 11. This act shall take effect from its passage.

Approved June 3, 1865.

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CHAPTER 1825.

AN ACT to establish an additional Justices' District and Voting Precinct in Marion County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That an additional justices' district and voting precinct be, and the same is hereby, established in Marion county, with the following boundary: Beginning at the Washington county line, near the mouth of Hickory Camp run, on Hardin's creek; thence with the Washington county line to a point opposite the residence of Patrick Hamilton, including the residence of the said Patrick Hamilton; from Patrick Hamilton's a straight line to the residence of Edward Raney, including Edward Raney; thence a straight line to William Spalding's, including William Spalding; thence a straight line to James Miller's, known as the big Sam Ray farm, including said Miller; thence a straight line to the mouth of Caney run, on the Rolling fork of Salt river; thence down the Rolling fork to the Rocky ford, opposite the Buckman farm; thence a straight line to Isadore Bickett's; thence a straight line to Henry Payne's, including Payne; thence to the site of Walker's old mill; thence a straight line to Mattingly's Cross roads, including said Mattingly; thence a straight line to the beginning, excluding and leaving in the south district the residence of G. W. Moore.

§ 2. That an election for two justices of the peace and one constable for said district shall be held therein at St. Mary's depot, in the town of St. Mary's, on the first Monday in August next; and the county court of Marion county shall appoint the necessary officers to hold and conduct said election; and it shall be the duty of the sheriff of said county to attend and superintend the same; and in all respects said election shall be held and conducted as other elections are by law required to be held and conducted.

§ 3. That the district hereby established shall be a voting precinct at all elections hereafter held in said county, and the town of St. Mary's shall be the voting place for the voters of said district; and elections in said district shall in all respects be conducted as in other election districts and places of voting in said county.

§ 4. That after the election in August next the comparison of the polls and the returns to the Secretary of State shall be made as now required by the general election laws. The justices elected shall be commissioned, and they and the constable elected shall hold their offices respectively until the next general election of justices and constables, and until their successors are duly qualified.

§ 5. That an act passed at the present session of this General Assembly, requiring the voters of the town of St. Mary's to vote at Lebanon, be, and the same is hereby, repealed.

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§ 6. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1827.

AN ACT to incorporate the Pioneer Oil and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That E. D. Tyler, E. W. Kerr, D. C. Strawbridge, W. B. Hamilton, and Robert Skene, and their successors and assigns, are hereby created a body-politic and corporate, by the name of the Pioneer Oil and Mining Company, and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places as a natural person, to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the company, and the conduct of its business, not inconsistent with the constitution and laws of this Commonwealth.

§ 2. That said company shall have power to purchase and hold land in Kentucky, by lease or in fee, for mining privileges, rights of way and other easements, as it may deem necessary or expedient for its business; and shall have power on such land to dig, bore, mine, and search for oil, coal, iron, salt, and other minerals, products, and deposits in the earth; to extract, take out, develop, smelt, and refine, reduce, manufacture, and prepare for market any or all of said minerals, products, or deposits, and to transport and sell the same in or out of this State; to buy, erect, or construct all machinery, tools, fixtures, and personal property deemed necessary or proper in the carrying on of said business, or any part thereof; to sell, convey, transfer, or assign all or any part or interest in any of said estate, real or personal; and to exercise any necessary and proper powers to carry out the express powers herein granted; but nothing herein contained shall be construed as granting to the said company any banking powers.

§ 3. The capital stock of said company shall not exceed five hundred thousand dollars, to be divided into shares of five dollars each, which shares shall be personal property, and shall be evidenced and transferable as prescribed by the by-laws of the company; and the said persons named in the first section of this act, and their associates and successors, shall constitute the board of directors for the said

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company, for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription the manner of payment and the grounds of forfeiture of stock subscribed for and not paid in when required; and when not less than fifty thousand dollars are subscribed, and such portion thereof paid in as the said board of directors shall be required to be paid in cash, the company may proceed to business, and the board, or a majority thereof, shall organize by electing one of their number to be president of the company and to preside at meetings of the board.

§ 4. The said president and directors shall provide by the by-laws for the annual election by the stockholders of a board of not less than five nor more than seven directors, who, when elected in each year, shall choose one of their number as president as aforesaid; and the president and directors shall hold their offices until their successors are elected; and the board of directors, or so many thereof as may, by the provisions of the laws, constitute a quorum for business, may, from time to time, fill vacancies in the board occurring between annual elections, as shall be provided in the by-laws.

§ 5. Each share of stock shall entitle the holder to one vote at the election of directors, or in stockholder's meetings, and must be voted by the holder in person, or by virtue of a written proxy signed by the holder; and no person shall be voted for or hold the office of director, who does not hold at least five shares of the said capital stock.

§ 6. The said by-laws may provide for the appointment, employment, and payment of all the necessary secretaries, treasurers, cashiers, and other agents, employes, and operatives, and for requiring bond and security of such of its officers, and in such amounts and penalties as it may deem proper, the better to secure the faithful discharge of their duties.

§ 7. And the said company may, from time to time, as it may see proper, make, declare, and pay dividends of profits, and distribute its net receipts and the proceeds of sales amongst the stockholders pro rata, according to the amount of stock held by each.

§ 8. This act shall take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1828.

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AN ACT to incorporate the Otter Mining, Manufacturing, and Transportation Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. T. Wilhite, B. W. S. Huffaker, J. A. Huffaker, Wm. Simpson, and F. G. Fox, and their successors, are hereby declared a body-politic and corporate, under the name and style of the "Otter Petroleum, Mining, Manufacturing, and Transportation Company," and by that name shall have perpetual succession, may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; have a common seal, and alter the same at pleasure; may purchase, hold, and convey any real estate necessary or appropriately connected with the business of said company; and may make such rules, regulations, and by-laws for the government of their own affairs as they think proper, not inconsistent with the constitution and laws of this State or of the United States.

§ 2. The capital stock of said company shall consist of eight hundred thousand dollars, divided into sixteen thousand shares of fifty dollars each; and it is further provided, that said company may receive lands, oil wells, coal mines, and mines of any kind of minerals, held by any kind of lawful tenure, to constitute a part or the whole of the capital stock of said company, on such terms as may be agreed upon by the owners of such lands, &c.; and the company, and the shares of said company, shall be deemed personal property, and may be transferred on the books of the company.

§ 3. The business of said company shall be the development of the oil, coal, iron, and other mineral substances of the Cumberland river and its tributaries; and the manufacture of lumber and other articles, and the transportation of the raw materials or manufactured articles to market; and to this end said company may purchase, construct, and own wharves and landings on said river or its tributaries, and may improve the navigation thereof by locks and dams, or otherwise, subject to the control of the Board of Internal Improvement of the State; and when the improvements are completed, may charge the same rate of tolls as is charged on the Kentucky river for similar improvements; may construct boats of any description; erect furnaces, machine shops, oil refineries, or any other works necessary to the business of the company; may construct turnpikes and railroads to and from any of the company's works to any points within the State of Kentucky where the company may wish to deliver its raw materials or manufactured articles; and when completed,

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may charge such rates of toll, per capita and per ton, as may be charged on the Danville and Hustonville turnpike road and on the Louisville and Nashville railroad.

§ 4. Said company shall have power and authority to appoint one or more of its members, or other persons, to manage, control, and direct the business of the company according to the by-laws, rules, and regulations which may be from time to time adopted by said company for its government and the transaction of its business.

§ 5. The right to alter, amend, or repeal this act is hereby reserved to the General Assembly.

§ 6. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1829.

AN ACT to incorporate the Elk Fork Petroleum, Coal, Salt, and Iron Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Richard A. Buckner, Samuel F. January, John M. Kirkpatrick, and such others as they may associate with themselves, be, and they are hereby, created a body-corporate and politic, by the name of the "Elk Fork Petroleum, Coal, Salt, and Iron Manufacturing Company," with all the powers and authority incident to corporators and corporations, for the purposes hereinafter mentioned; and with all the general and special powers, privileges, and immunities, which have been and may be granted by this General Assembly to any corporation or corporations chartered for similar purposes.

§ 2. The corporation is hereby authorized and empowered to purchase, sell, hold, and dispose of lands, in fee simple and by lease, for mining and boring for petroleum and other oils and minerals, of whatsoever kind, and to manufacture, refine, transport, and vend the same.

§ 3. The capital stock of the corporation shall be one million of dollars, and shall be divided into shares of twenty-five dollars each; which shares may be issued and transferred in such manner, and on such conditions, and under such rules of forfeiture for non-payment of calls and assessments, as the board of directors of such corporation may direct; and the liability of shareholders shall extend to and be limited by the amount of stock held by them respectively.

§ 4. The affairs of said company shall be managed by three or more directors, one of whom shall be president, and all of whom shall be stockholders in said corporation; the first board of directors shall consist of Richard A. Buckner,

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Samuel F. January, and John M. Kirkpatrick, who shall remain in office for one year, or until their successors are elected by a majority in interest of the stockholders of said corporation, which said corporation may exist in perpetuity; and the directors thus elected, and their successors in perpetual succession, shall continue in office for one year, and until their successors are elected and enter upon their duties. If any of the above named directors shall decline or refuse to act, a majority of those remaining shall have power to fill such vacancy; they may adopt such by-laws and rules for the government of the corporation and management of its affairs as they may deem proper, not inconsistent with the constitution of this State and United States. The said corporators, or any of them, may open books for and receive subscriptions to the capital stock of said company hereby incorporated, at such times and places, upon such notice, and coupled with such conditions, as the board of directors of such corporation shall determine; the board of directors of such corporation may fill vacancies occasioned by death or other cause; they may make such calls for the payment of stock as they may deem proper; and in event of non-payment, may forfeit the stock of the defaulting shareholder, or collect the same by suit, as they may elect. Right of way is hereby granted to said corporation over any lands and on and along any water courses within the State, with power and authority to condemn the same to their use, in the same manner, and subject to such restrictions, as are and have been given to and imposed upon any corporation heretofore chartered by the General Assembly of Kentucky; and with power and authority to construct and operate over the right of way thus granted common and turnpike roads and railroads; and to build and maintain along such water courses locks and dams, and other fixtures and appliances for slack water navigation to and from and between the site or sites of their mines and oil wells and the markets for the sale and storage of their products, and to and from and between such mines and oil wells and reliably navigable waters within and bordering upon the State; with the right, power, and authority, when such roads, railroads, and improved navigation shall be used by any other party or parties for travel or traffic, to charge for such use such reasonable rates of toll or carriage as the board of directors may determine, not exceeding the rates permitted by law to be charged by other corporations specially chartered for and authorized to furnish and perform similar facilities and services. The board of directors may keep their office or offices at such place or places as the interests of the corporation may demand; they may appoint a president, secretary, treasurer, superintendent, and such other

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officers they may deem necessary, and fix their compensation; and by their by-laws regulate the mode of keeping their records to insure a just exhibit and administration of their affairs.

§ 5. Nothing in this charter shall be so construed as conferring banking privileges upon the corporation.

§ 6. This act to take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1830.

AN ACT to incorporate the Union Express Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Z. M. Shirley, John B. Smith, Wm. C. Hite, B. F. Guthrie, A. D. Hunt, Isaac Caldwell, and N. Green, be, and they are hereby, declared and created a body-politic and corporate, by the name of the Union Express Company, and by that name shall have succession, with power to sue and be sued, contract and be contracted with, answer and defend, as a natural person; to have and use a common seal, and alter or renew the same at pleasure; and to make and establish such by-laws, rules, and regulations as may be deemed expedient for the efficient conduct of the business of the corporation.

§ 2. The purpose and business of said corporation shall be to carry on a general express and forwarding business; and for that purpose they may acquire and hold any real estate convenient for the purposes of the company, and all vehicles, horses, mules, and other personal property, and may sell and convey the same at pleasure.

§ 3. The said persons named in the first section of this act, or a majority of them, may, at any time, open books for the subscriptions of stock to said company, and fix in the article of subscription the terms of subscription, and the time and mode of payment, and the conditions on which a subscription not fully paid as required may be forfeited to the company; and may keep said books for subscriptions open until all the stock is taken or the company organized as hereinafter provided.

§ 4. The capital stock of said company shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each; and when not less than twenty-five thousand dollars are subscribed for and not less than ten per cent. thereof paid in in cash, or such other per cent. as may be fixed in the terms of subscription, the company may be organized by calling a meeting of the stockholders, who may vote in person or by proxy in writing; and at such stockholders' meeting a board of five directors shall

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be elected, who shall, out of their own number, choose a president, who shall be the chief officer of the corporation; and the president and board of directors so chosen shall have and exercise all the rights and powers of said corporation, and shall act for one year, and until their successors are duly chosen; at all meetings of the president and directors a majority of those in office shall constitute a quorum for business; at all stockholders' meetings each stockholder shall be entitled to one vote for every share he may own at the time, and shall have owned for ten days previous thereto.

§ 5. The president and board of directors shall provide by rules or by-laws for an annual election of a board by the stockholders; and between annual elections may fill vacancies in the board; and may prescribe all proper rules for the issuing of certificates of stock and for the transfer thereof on the books of the company; and shares in said corporation shall be deemed personal property, and shall be transferable only on the books of the company.

§ 6. The principal office of the corporation shall be in the city of Louisville; and the president and directors may, upon advertisement for ten days, in one or more daily newspapers in said city, open the books of the company for additional subscriptions to the capital stock of the company until all is taken, upon such terms as they may prescribe; and shall have the power, at any time when the business of the company shall seem to justify it, to increase the capital stock to any sum not exceeding five hundred thousand dollars.

§ 7. The said president and directors may employ all necessary agents, messengers, clerks, and book-keepers, treasurers, and other officers, and fix their salaries, and take bond and surety from those holding places of trust for the faithful performance of their duties and the honest discharge of their trust; and said corporation may, by special contract with shippers, limit and fix the extent of their liability as common carriers.

§ 8. This act to take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1831.

AN ACT to incorporate the Petroleum Valley Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That George W. Fulton, J. D. Hinde, S. N. Drake, B. F. Williams, James Bigstaff, Thomas Porter, John A. Prall, John Armstrong, and W. R. Pearce, and their assigns

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and successors, be, and they are hereby, incorporated and created a body politic and corporate, under the name and style of "The Petroleum Valley Oil, Mining, and Manufacturing Company," and under that name shall have perpetual succession; may sue and be sued, contract and be contracted with; may have a common seal, and alter the same at pleasure; may acquire and hold, by deed or lease, such real estate in any part of Kentucky as it may deem necessary and suitable for its business, or any interest therein, and may sell and convey the same; and may purchase and hold such machinery, implements, and other personal property as it may deem proper and suitable in the prosecution of its affairs; and shall have such other powers as have been granted by this General Assembly to any company incorporated for similar purposes.

§ 2. The capital stock of said company shall be a sum not exceeding two millions of dollars, which shall be fixed in the by-laws hereinafter provided for, together with the number and denomination of the shares into which the same shall be divided, and the manner in which said shares shall be sold and paid for.

§ 3. The business of said company shall be by boring, mining, or otherwise, to extract and obtain oil, salt, coal, iron, or any other mineral or substance in the earth or upon its surface, by refining or manufacturing, to prepare the same, or any other material or product it may obtain for use, consumption, or market; to transport and vend in market the articles and products thus obtained; and to do such other things as are incidental to the business above set forth.

§ 4. Any five of the corporators named in the first section may call a meeting of said corporators, and at such meeting, a majority being present, adopt such by-laws for the regulation of the affairs of said company as they may deem fit, provided the same shall not be in conflict with this act, or with the constitution and laws of Kentucky or of the United States; and, after regulating the amount of the capital stock and the shares into which the same shall be divided, as above provided for, may open books for the subscription of stock, and may fix the time and place for the election of officers, at which election each stockholder shall be entitled to one vote for each share of his stock upon which all calls have been paid, to be cast in person or by proxy. The company may, at any regular meeting, amend or add to its code of by-laws, and may provide for the increase of its capital stock within the limit above provided.

§ 5. The business of said company shall be conducted by a board of directors, the number to be fixed in by-laws, not exceeding seven, a president, to be selected by said

board out of their number, and such other officers and agents as may be, from time to time, provided for in the by-laws, or appointed by the president and directors.

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§ 6. The company hereby incorporated shall have no banking privileges.

§ 7. This act shall take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1832.

AN ACT to incorporate the Kentucky Barrel Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Benjamin Franklin, James L. Davis, William Sampson, and J. W. Edwards, and their associates and successors, are hereby created a body corporate and politic, under the corporate name of "The Kentucky Barrel Company;" that by said name they may sue or be sued, plead or be impleaded, in any of the courts of this State; they may have a seal, and contract or be contracted with.

§ 2. That the capital stock of said company shall be two hundred and fifty thousand dollars, to be divided into shares of twenty-five dollars each; but the company may be organized on the subscription of five thousand dollars of said capital stock; and the said company shall then elect five directors, who shall choose one of their own number president, and shall also select a secretary, and appoint such other officers or agents as may be prescribed by the by-laws of said company.

§ 3. That said company shall have power to purchase timber, or timber lands, to such extent and in such quantities as they may deem proper, or may take leases on timber lands, securing to them the uses of the timber growing on such lands, in any of the counties of this State; the said company may purchase all necessary machinery for the manufacture of barrels, or the saving of lumber for any purpose; to saw and dispose of such lumber, and to make and dispose of barrels and wooden vessels of every kind, and may purchase such machinery and erect the same in any of the counties of this State; and may purchase such teams, wagons, and other vehicles, or means of transportation, as may be necessary and proper for carrying on the business of said company, at all points where such business may be commenced by said company, and to do all other acts, and make such contracts, purchases, and salaries, as a natural person might do in carrying on such business.

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§ 4. The said company shall have power to make by-laws, not inconsistent with the constitution and laws of the United States or of this State.

§ 5. This act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1833.

AN ACT to incorporate the Millett Petroleum and Mining Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 2. That Francis Millett, William Rentlinger, and Jno. Millett, and their associates and successors, be, and are, created a body corporate, able by their common consent to receive and grant in law everything within the compass of their chartered franchises and privileges, and to be denominated the "Millett Petroleum and Mining Company," with the privilege and purpose of boring petroleum and salt wells, and mining for any minerals on any lands which they, or any of them, may now have or shall acquire, by deed, lease, or other means, either for the use of the land for all purposes, or for only oil, salt, or mining privileges, in the county of Henderson, or elsewhere in Kentucky; and reducing the oil to burning fluid, paraffine, asphaltum, and to all its uses; trading in oil in its crude or refined state, and to mine and sell coal or other minerals, and making and trading in salt, and shipping it to foreign and domestic ports; to lay conduct pipes and construct railroads, or other roads, from their wells or mines to any navigable river or other road adjacent thereto, paying for the right of way as do other corporations.

§ 2. They and their associates and successors shall continue and have succession perpetually, and in their corporate name may make all necessary and lawful contracts, sue and be sued, plead and be impleaded; they may have and use a corporate seal; and may buy and sell, in fee or for a term of years, any lands, or the mining privileges thereof, for and within the purposes here set forth; and may make all by-laws or other regulations as shall conform to the laws of the land, and be necessary or useful to their government as a corporation. They may determine the amount of their capital stock, and increase or diminish the same from time to time, but at no time to exceed one hundred thousand dollars, and shall divide the same into shares of such amount as they please, not exceeding one thousand dollars.

§ 3. The officers of the corporation shall be a president and not less than three directors, and such other officers as

the shareholders, at any general meeting, shall determine upon; as soon after the passage of this act as may be, the shareholders, or not less than three fourths thereof, shall hold a meeting in the city of Henderson, and organize themselves by determining what offices, &c., they will have under this act, electing such officers, &c.

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§ 4. This act to take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1834.

AN ACT to incorporate the Green County Gas Well Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Samuel T. Wilson, and his associates and successors, be, and are hereby, created a body-corporate, under the corporate name of the "Green County Gas Well and Oil Company;" by that name may sue and be sued, contract and be contracted with.

§ 2. That said corporation shall have the power to dig or bore for oil or other minerals, and to sell the same, or may use all proper means for their preparation for market, by refining or otherwise; may purchase or receive by lease any lands upon which to dig or bore as aforesaid; and may purchase all necessary machinery or other property of any kind necessary to carry on the business of said company; and shall have the same powers which have heretofore been conferred by law on similar corporations, and be liable to the same liabilities imposed on them.

§ 3. The capital stock of said company shall be two hundred and fifty thousand dollars, to be divided into shares of twenty-five dollars each; but said company may be organized upon the subscription of three thousand dollars of said stock. The capital stock may be reduced by said corporation to such amount as said corporation may deem proper.

§ 4. The said corporation may be organized by the election of three directors, who shall choose one of their own number president; and may, by their by-laws, increase the number of said directors. Said corporation may make such by-laws as are not inconsistent with the constitution and laws of the United States or of this State.

§ 5. That said corporation shall have a right to make all necessary roads to any of their oil wells or mining points, but shall proceed in securing the right of way for said roads in the manner now prescribed by law for opening public roads.

§ 6. This act shall take effect from its passage.

Approved June 3, 1865.

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CHAPTER 1835.

AN ACT to incorporate the Clarke County Oil, Mining, and Manufacturing Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That George W. Fulton, J. D. Hinde, S. N. Drake, John A. Prall, James Bigstaff, John Armstrong, B. F. Williams, Thos. Porter, and W. R. Pearce, be, and they are hereby, incorporated as a body-politic and corporate, under the name and style of the "Clarke County Oil, Mining, and Manufacturing Company," and under that name shall have perpetual succession; may sue and be sued, contract and be contracted with; may have a common seal, and alter the same at pleasure; may acquire by deed or lease such real estate as they may deem suitable for the purposes of the company, or any interest therein, and sell and convey the same at pleasure; and may purchase such machinery and other personal estate as they may think necessary and suitable for the prosecution of their business, and sell the same at pleasure; and may do such other things as are authorized to be done by any similar company incorporated by this General Assembly.

§ 2. The business of said company shall be by boring, mining, or otherwise, to extract or obtain coal, iron, lead, oil, or any other minerals or substances within the earth or upon its surface; to refine, manufacture, or otherwise prepare said minerals, substances, or any materials or products obtained by them, for use, consumption, or market, and to transport and vend the same in their original state, or when thus manufactured and prepared, and to do such other things as are incidental to the business above indicated.

§ 3. Any five of the above named corporators may meet and adopt a code of by-laws for the management of the business of said company, provided the same shall not be in conflict with this act or the constitution and laws of Kentucky and the United States; and the same may be, from time to time, amended by the company. In said by-laws they shall prescribe the amount of capital stock, which shall not exceed one million of dollars, and the amount and number of shares into which the same shall be divided, and terms upon which it shall be sold and paid for, the official designation and duties of the officers to whom shall be committed the management of the affairs of said company, and such other regulations as they may deem necessary in the management of the affairs of said company. Said corporators, or any five of them, shall open books for the subscription of stock, in accordance with said by-laws, and provide for the election of officers; at which and all subsequent elections each stockholder

shall be entitled to a vote for each share of stock upon which all calls have been paid, to be cast in person or by proxy. 1865.

§ 4. This act shall not be construed as conferring any banking privileges whatever.

§ 5. This act shall take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1836.

AN ACT to incorporate the Man's Lick Oil Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That Henry W. Norton, Jacob Krieger, John Shardein, and Chas. A. Handwerker, their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name, style, and title of the Man's Lick Oil Company, and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this Commonwealth and elsewhere, in all courts of law and equity; to have a common seal, ordain, establish, and put in execution all such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law.

§ 2. The capital stock of said company shall be one hundred thousand dollars, and may be increased or diminished 50 per cent., by a vote of a majority of the stockholders at any time, upon a notice of ten days, to be divided into shares of ten dollars each; said company may, however, commence operations as soon as ten thousand dollars of said capital stock shall be subscribed, and five thousand dollars thereof paid in, and the remaining portion of said capital stock may be issued, sold, and disposed of by the board of directors of said company, at such times and on such conditions as may seem to them best.

§ 3. That said company shall have power to purchase, negotiate for, and hold as much real estate as they may deem necessary for the successful prosecution of their business, to-wit: to explore, bore, excavate, mine, and dig for petroleum, salt water, coal, iron, lead, and other minerals, and in the manufacture of the same, and other product of lands now owned by them, or which may hereafter be owned by them; to purchase, own, and build boats and other necessary implements and machinery for carrying on said business; to erect all necessary buildings for its transaction; to hold such mining rights, and rights of way and

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real estate, as they may deem necessary for the successful prosecution of their business, and the same, or any part thereof, to sell or otherwise dispose of, as the interest of said company may require.

§ 4. For conducting the affairs of said company a board of five directors shall be chosen; said board shall choose one of its members, who shall be the president of said company, and said board serve for one year, or until their successors are elected and qualified; the president and directors shall have power to appoint all officers, agents, and servants under them, and remove them at pleasure; in all elections each share shall entitle the holder to one vote, and stockholders may vote by proxy.

§ 5. The stock of said company shall be deemed personal estate.

§ 6. Books for the subscription of stock may be opened at any time and place, and closed again at pleasure: *Provided, however,* That the stock at no time shall exceed the maximum amount herein named.

§ 7. That it shall be lawful for the president and directors of said company, from time to time, and at all times, to borrow or obtain on loans such sums of money, and on such terms, as they may deem expedient for the use of said company, and to pledge or mortgage all or any part of the estates, improvements, privileges, effects, and assets of said company for the repayment of such sums of money so borrowed, at such times as may be agreed upon.

§ 8. In the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the president and directors, or they may, if they so elect, sue and recover the same.

§ 9. Said company shall have, possess, and enjoy all rights, powers, privileges, and immunities conferred by law in this State upon any other company chartered for similar purposes.

§ 10. Nothing in this act shall be construed as conferring banking powers upon this corporation.

§ 11. The right to alter, amend, or repeal this charter is reserved to General Assembly.

§ 12. This act to take effect from its passage.

Approved June 3, 1865.

CHAPTER 1837.

AN ACT to incorporate the "Enterprise Oil and Mineral Company."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Jos. B. Kinkead, John W. Barr, Joshua Tevis, Philip Speed, Wm. F. Barrett, Samuel B. Smith, Mathew Howard, and John K. Goodloe, be, and they are hereby,

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created and made a body-politic and corporate, under the name of the Enterprise Oil and Mineral Company, with right of perpetual succession; the object and business of said company shall be to dig and bore for and extract ores, minerals, and other substances, coal, oil, petroleum, and other fluids, and to prepare the same for market and sale; said company may also transport to market, manufacture, and make sale of the timber of the lands they are hereby permitted to acquire and own.

§ 2. The business of said company shall be under the control and management of a board of directors, to consist of not less than five nor more than seven persons, who shall be annually elected by the stockholders: *Provided, however,* That the persons first named in the first section of this act shall be and compose the first board of directors of said company, and shall continue in office for twelve months from the time of their organization; the directors of said company shall choose one of their own number for president of the board; the board may appoint a treasurer and secretary, and shall require them to execute bond for the faithful discharge of their duties, in such penalty as they deem proper. All elections for directors in said company shall be advertised in some paper published in Louisville, ten days prior thereto; and the directors shall hold their offices until their successors are duly elected and qualified. The persons named as the first board of directors of this company may meet and organize, at such time and place as they may agree upon; each stockholder shall be entitled to one vote in all voting by the stockholders for each share of stock he may own in said company.

§ 3. Said company in its corporate name may purchase, lease, have, and hold real, personal, and mixed estate, and may sell and dispose of the same.

§ 4. Said company may have a common seal; and in its corporate name may contract and be contracted with, sue and be sued, plead and be impleaded, in all the courts of this Commonwealth.

§ 5. Said company may take, dig, bore for, and extract ores, minerals, mineral fluids, and any other substance or fluids from the lands which said company may hereafter acquire right to or may now own; and may prepare the same for market, and sell and dispose thereof as to them seems best.

§ 6. The capital stock of said company shall not exceed one million of dollars, to be made up of shares of twenty-five dollars each, payable at such times, and in such installments, as the president and directors may designate, from time to time; and in default of payment, such calls may be collected by suit, and shall bear six per cent. per annum interest from their maturity until paid.

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§ 7. The president and directors may employ agents, either in or out of the Commonwealth, to open books to obtain subscriptions to the capital stock of said company; and whenever a subscription is made there shall be paid on each share one dollar.

§ 8. Said company may issue its bonds, not to exceed, in the aggregate, three hundred thousand dollars, to bear interest not exceeding eight per cent. per annum, and not to run a period exceeding ten years; and the president and directors may sell said bonds for the purpose of raising means to carry on the operations of the company; and said board may pledge the property and stock of the company to secure the payment of said bonds.

§ 9. Said company may establish agencies for the sale and disposition of its oil and other material in such places as the president and directors may, from time to time, select, and may do all other acts consistent with the objects of this charter.

§ 10. Said company, in order to get its products to market, may make all necessary roads and viaducts, but shall run over no man's lands without his consent or full compensation, to be ascertained by writ of *ad quod damnum*, pursuant to the general laws applicable to such writs.

§ 11. The president and directors of said company may make all needful rules and regulations and by-laws for the government of officers and agents and business of said company, not inconsistent with the constitution and laws of the United States and of this State. The secretary shall, unless otherwise directed by the board of directors, be the custodian of the books of the company; and all the proceedings of the board of directors shall be entered by the secretary of record, and signed by the president and said secretary; in the absence of either of them, the board shall elect a *pro tem.* officer. The president, secretary, and treasurer shall each receive a fixed salary, to be prescribed by a resolution of the board of directors, subject to be increased or diminished at any time.

§ 12. The president and directors may permit individuals to subscribe as stock oil and mineral lands, or leases to the same, upon such terms as may be agreed upon; and they may issue stock to such individual or individuals to the agreed value of such lands or leases; and such action shall be binding both upon the company and such persons so subscribing such lands or assigning leases to said company.

§ 13. That any shareholder may vote by written proxy, and the books of said company shall, at all times, be subject to the inspection of the stockholders and creditors of the same.

§ 14. The certificates of stock in said company shall be signed by the president and secretary of said company, shall be held and esteemed personal estate, and shall be transferable upon the books of said company.

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§ 15. This act shall take effect from and after its passage.

Approved June 3, 1865.

CHAPTER 1839.

AN ACT for the benefit of M. W. Galloway, late sheriff of Graves county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time of one year, from and after the passage of this act, be, and is hereby, allowed to M. W. Galloway, late sheriff of Graves county, in which to collect the balance of the public revenue and his fee bills for the year 1860; he shall have full power and authority to distrain for the same, he and his sureties in his official bond being liable for illegal distress, as in other cases: *Provided*, That his sureties shall consent in open county court for said county, and entered of record, to the provisions of this act: *Provided further*, That this act shall in nowise suspend any proceeding by the Commonwealth against him for the collection of said revenue.

§ 2. This act shall be in force from its passage.

Approved June 3, 1865.

CHAPTER 1840.

AN ACT for the benefit of B. Mills, Sheriff of Wayne County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the proceedings of the Wayne county court in the present year, in the taking of the several bonds required by law to be taken of sheriffs in entering upon their duties, as taken and accepted of Benoni Mills, sheriff of Wayne county, elected at the August election, 1864, and his securities, shall be, and the same are hereby, legalized, and said bonds and said Mills' right to exercise the office of sheriff, are hereby declared to be good and lawful as if said bonds had been executed within the time prescribed by law.

§ 2. This act to be in force from its passage.

Approved June 3, 1865.

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CHAPTER 1841.

AN ACT for the benefit of Joseph Nickell, Assessor of the County of Morgan.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the further time until the first day of September next be allowed Joseph Nickell, assessor of Morgan county, to return his assessment of the taxable property of said county.

Approved June 3, 1865.

CHAPTER 1843.

AN ACT for the benefit of the Sureties of W. W. Cox, late Sheriff of Morgan County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor be, and is hereby, directed to suspend for the term of nine months, from and after the passage of this act, further proceedings for the collection, by execution or otherwise, of a judgment rendered in Franklin circuit court against the sureties of W. W. Cox, late sheriff of Morgan county: *Provided*, That said sureties in the county court of said county shall consent in open court to such suspension, to be entered of record.

§ 2. That the county court of said county is hereby authorized to receive and certify to the Auditor, in the manner as now prescribed by law, the delinquent list of W. W. Cox, late sheriff of Morgan county, for the uncollected taxes for the year 1861; and when so certified to the Auditor, that the amount thereof shall be credited on a judgment rendered against the sureties of said sheriff in the Franklin circuit court for the unpaid revenue for 1861.

§ 3. That on payment of the principal, interest, and costs of said judgment, that the damages thereon are hereby remitted.

§ 4. That the county court for said county be, and is hereby, authorized and directed to appoint a collector of the revenue and county levy for the year 1861, who shall execute bond for the faithful discharge of said duties, with good security, as prescribed by law in reference to sheriffs for similar duties, and shall be liable to all penalties as prescribed by law for illegal distress, and shall have all the powers conferred by existing laws on sheriffs to enforce collection of State and county revenue, and shall be allowed the same compensation now allowed by law to the sheriffs of this Commonwealth for similar services.

§ 5. That this act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1844.

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AN ACT for the benefit of S. R. Tolle, Sheriff of Barren County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the further time of two years be allowed to S. R. Tolle, sheriff of Barren county, to collect, by distress or otherwise, the taxes of Barren county which are still unpaid for the years 1863 and 1864.

§ 2. This act shall take effect from its passage.

Approved June 3, 1865.

CHAPTER 1847.

AN ACT for the benefit of the Securities of R. L. South, late Sheriff of Breathitt County.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county judge of Breathitt county be, and he is hereby, directed to appoint a collector for the county of Breathitt, for the term of one year, for the collection of the revenue and county levy for the year 1861, whose term of office shall commence from the time of executing bond and taking the oath now required by law of sheriffs.

§ 2. That said collector shall have all the power in the collection of said taxes now conferred by law upon sheriffs, and shall be subject to the same liabilities.

§ 3. That the judgment rendered in favor of the Commonwealth of Kentucky against the securities of said R. L. South, for failure to pay into the Treasury the revenue for the year 1861, be, and the same is hereby, suspended, and that no execution shall be issued thereon for twelve months from this date.

§ 4. That upon payment into the Treasury of the amount of revenue due from said county for the year aforesaid, within the time prescribed by this act, that the securities of said sheriff shall be released from the damages on the judgment aforesaid.

§ 5. That before said securities shall receive the benefit of the stay of execution provided in the third section of this act, they, or a majority of them, shall consent to said stay, of record in the Breathitt county court.

§ 6. That this act shall be in force from its passage.

Approved June 3, 1865.

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